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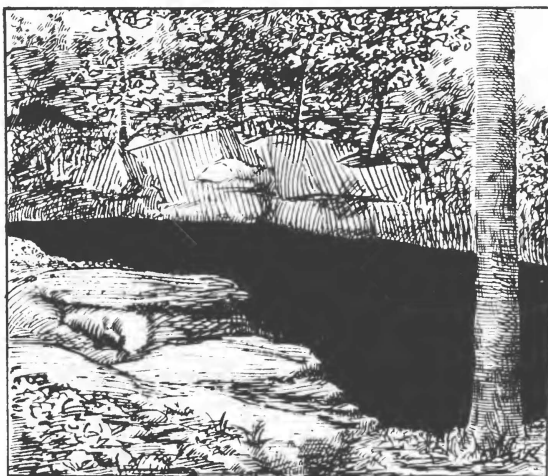
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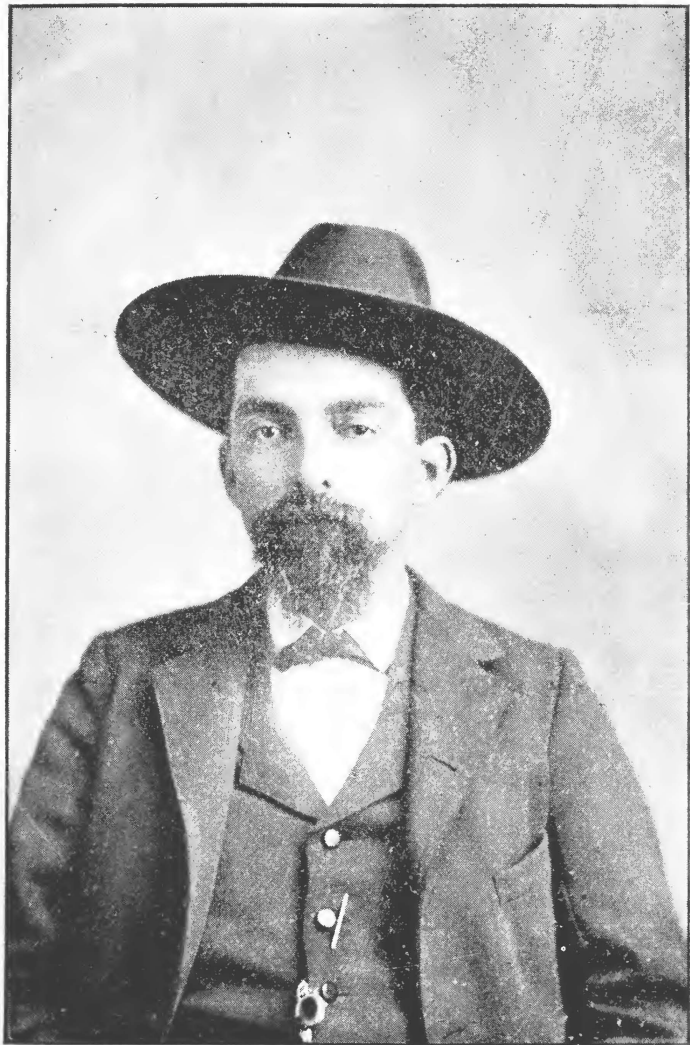
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1892.



J. L. SPURRIER.

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PREFACE.

This book records some of the adventures of JOSEPH L. SPURRIER, an officer in the Revenue department of the government. In Kentucky, Tennessee and Alabama he has been known for fifteen years as a brave man, a true knight, "without fear and without reproach." No duty called him into the place of danger without finding him ready to go, and in the many dangerous scenes in which he periled his life, never has he taken the life or shed a drop of the blood of his fellow man!

A strange record is this, and the sequel to this story reveals one of the most startling and impressive incidents that has occurred in the long struggle against outlaws and criminals.

The materials of this volume are taken, chiefly, from the lips of him whose achievements are here recorded.

Nashville, Tenn., October, 1892.

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CHAPTER I.

MOONSHINERS ONE HUNDRED YEARS AGO.

When Great Britain was engaged in her gigantic struggle against Napoleon Bonaparte all the hidden resources of taxation laws and measures to raise money for the public purse were tried and carried to the utmost point that a free people would permit. Not only were taxes laid in the form of unjust duties, which always raise the prices of the home-made articles in proportion to the tax laid upon the foreign merchandise, but taxes were added in the form of *excise*, the most odious form of compelling a people to pay the war expenses of a government.

The consequence of the excise tax upon whisky, rum, brandy, and other spiritous liquors, was the active encouragement of all parties who could "run the blockade" of the coast-guard of revenue cutters, and a still more active inducement to domestic distillers. The high price of whisky formed a bribe to almost every class of adventurers; for if they saved half the spirits they made, and sometimes even one-third of the amount, the high price received for the quantity smuggled into market fully repaid all losses and left a handsome balance besides.

We find great and good men in the Church of England issuing flaming denunciations of "smuggling." John Wesley published several tracts upon the subject, and the tenor of his arguments, as far back as the middle of the century, showed that the people called

“smugglers” were not always the lowest and most degraded part of the English population. Mr. Wesley took the ground that by refusing to pay the duty on an article of merchandise, the subject was actually guilty of robbing his king. This was by no means a happy form of putting the case before the common mind.

- People asked the question, “What right has the king to my own private property?” What right has he to declare that I shall not do as I please with that which belongs to me, if I do not injure any one else by my use of it? I grow wheat, and rye, and barley, whose business is it if out of these materials I choose to make spirituous or malt liquors? May I not do as I please with my own?” Besides it seemed to be the
- case that the government was in league with the rich to oppress the poor. Rich people could afford to pay the tax, and they were allowed to make anything they pleased; but the poor were not able to pay it and they were denied the privilege of using their own property.
 - This was the light in which the matter appeared to many thousands of the British people. The consequence was that almost every little creek or inlet on the long line of sea-coast, from Land’s End to the farthest point in Scotland, in both seas, the Irish and North Sea, was a landing place, to a greater or less extent, for some kind of smuggled goods. Liquors were by far the most available commodities for the smuggler to handle. For, although heavy and bulky, compared with some kinds of dry goods, ardent spirits had an almost universal demand. High and low, bishop and curate, every degree in

society, and every class of citizens were accustomed to the use as well as the abuse of liquors. A total-abstinence man was rarely found. The sale of liquors was as common as the sale of tea or coffee, and the consumption of the fiery liquid was greater per capita than it has been at any time in the nineteenth century.

When no disgrace attached to being drunk, there was no odium in the name of "rumseller," and hence it was only a game of wits between the officers of government and the makers of "wild-cat" whisky. Many years of education would have been necessary to work a revolution in public sentiment, and it is very doubtful whether the traffic in contraband liquors would have been suppressed at all, if the British revenue laws had not been so far changed as to render smuggling unprofitable.

The history of illicit distillation in England has been repeated in the United States. War necessities created a heavy excise law, and the people, for the most part illiterate, confined to few sources for the maintenance of themselves and families, have utilized the mountain gorges and remote fastnesses for the making of the execrable article known as "wild-cat" whisky. Few tools are required: an old pot, a bit of pipe, a tub or two, running water, and a few bushels of corn, in the simplest conditions of the business, will meet the requirements of the "moonshiner."

To suppress this illegal manufacture of whisky the United States government has adopted the most stringent measures. Some of these measures are not creditable to the people of this country, and it cannot be doubted that the revolt of the "wild-cat" distillers

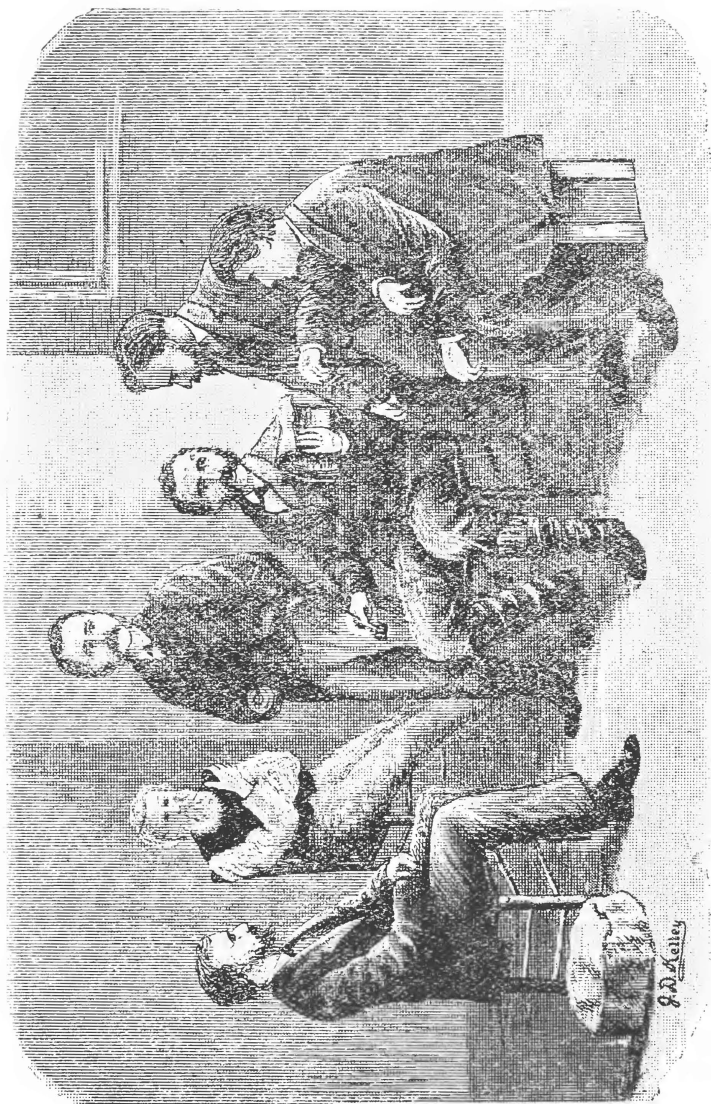
has been aided by the sense of wrongs to which many of them have been subjected. Any law that offers a premium for treachery, and pays an informer for betraying his neighbor, is a blot upon the statute book of any country. True manliness resents the charge of selling his neighbor's liberty for a sum of money, and yet the informer is induced, by the hope of gain, to "give away" the man whom he has helped to violate the law, it may be. But this is not the worst feature of these acts of Congress. If we admit that any means, fair or foul, may be resorted to in order to capture the guilty, we cannot defend a statute that enables vile men to vent their spite upon their neighbors, and often works the ruin of a poor man before it acquits him of a false charge.

Yet these things happen daily. A poor wretch is taken from his little home while "the crop" is making, and carried, perhaps, two or three hundred miles away, placed in prison, and left for weeks without trial. Being a stranger nobody will go bail for him, and his crop is ruined, and his family reduced to beggary, and at the end of it all the court dismisses the case against him! Kind Judges, Christian gentlemen among the Federal attorneys, and humane Revenue officers, there are unquestionably, but in almost every section of the country there are stories of robbery, oppression, and injustice that would arouse the indignation of the civilized world if they could be placed in print.

Revenue officers were engaged in a dangerous enterprise, and some of them resolved to make the most of their opportunities. Every wretch that had an accusation to make, from which he hoped for gain or

sought to avenge an injury, was readily heard, believed, and employed to work the ruin of his neighbor. In a partnership for the ruin of poor, friendless mountaineers, these unworthy officers disgraced the government, while they persecuted the people.

Better days and better men have come into the field, and among the most prominent of these is the man whose achievements form the subject of this book. Joseph L. Spurrier sought to *reform* not to *ruin* the illicit distiller. The story of his conflicts with the fierce inhabitants of the mountains is one of peculiar interest. He set the example which many others have followed, and if his methods become universal, and the defects in the statutes are remedied, the day is not distant when the "moonshiner" will be known only in history.



CHAPTER II.

A COLLECTOR'S STORY.

The Federal Court was in session, and Revenue officers from a large section of the country were present. Some of these men were in the first year of service, and others had been engaged for many years in the dangerous work of ferreting the "moonshiners" out of their mountain burrows.

The evening was very warm, and, as court had adjourned for the day, a number of the "old campaigners" met to exchange items of information, to consult upon future proceedings, and to enjoy each others' society.

When business was dispatched, the minds of the officers were directed to stories that related to their calling. Many an incident that would give subject matter for a first-class novel or romance was related, when one of the party, who belonged in a distant part of the field and was visiting his brethren in Nashville, was called upon to tell something of the experiences of his own life. He had been for nearly a quarter of a century in this kind of work, and was doubtless "full of matter."

"You must excuse me to-night, boys," said the visitor, "for I have taken cold, and I am not a good hand to tell a story anyway. But see here," and he began to finger the pages of a little scrap book which he carried with him, "here is a story that was printed

some years ago. A party of us were together in Atlanta, Ga., and the universally present reporter was among us. He took down the story in a little better style than I told it and printed it. Here it is if you have a mind to have it read, all right. I vouch for the truth of every statement in it."

The paper was handed to one of the deputies and read by him: "Tige," it may be necessary to say, was the title won by Mr. Lester during the civil war. Precisely what it signifies, the writer of these lines will not undertake to say. Perhaps the reader of these pages will be better informed, and therefore will not need a definition:

TIGE LESTER'S STORY.

"Yes, Jim Daniels is as clever as men gets to be in this shabby world of ours; and I'm sure I've never met with a braver man."

"He's true grit, to be sure," chimed in little Tommy Simonton, who always liked to help the Captain to tell a story.

"That he is. But I'm inclined to believe that Jim has got his dose, and it wouldn't surprise me if he throwed up his commission to-morrow."

"Why, so?" asked the Major, "isn't he doing amazingly well?"

"Just as well as anybody can wish to do," replied Tige Lester; "but there is a long story that comes before it, and unless you'll have the patience to listen, I'll just be goin' home for a ten-hour-snooze, for I've got a hard journey before me to-morrow."

"Listen!" exclaimed the Major.

"Listen!" echoed Tommy Simonton.

"To be sure we'll listen to any story that Tige Lester says is good, for he's a judge," remarked the night clerk, who laid down his pen, refilled his pipe, and set the example of 'attention.'"

"It'll be nigh onto twenty years next March when I first got acquainted with Jim Daniels. We'd been in the war together, good Confederate soldiers, and for a long time Jim and I were in the same mess. You see he was no slouch, but a regular college graduate, and though I oughtn't to say, it may be he was only a little better scholar than I was. He took first honors in his graduating class, and I got second best in mine, though we were not in the same college, nor even in the same state. But let that be."

"Just think of Tige Lester for a *college* man!" exclaimed little Tommy Simonton, "and now he's in the Revenue!"

"Why not, Mister," said Lester, refreshing his ample cheek with a fresh supply of pigtail, "isn't it honorable and right to uphold the laws of one's country?"

"Oh, that's all right," said Tommy, "I was just a thinkin'."

"Well, keep your thoughts to yourself, young man, until they're called for; and let me tell you, furthermore, I knew a man over in Alabama who made a snug fortune 'tending to his own business. Do you see?"

Simonton subsided, and Lester proceeded:

"Well, after the war was over Jim was all broken up. Niggers all free, property run down, no money, and no business that he knowed anything about. So, after trying first one thing and then another, Jim

came to me and asked me what he ought to do. He had a mother and two sisters to care for, and the times were hard, you may be sure. I was near about in the same fix, except that a wife and two babies took the place of his women folks. It was just as hard rowing as ever I had to do, but all at once the idea struck me."

"Jim," said I, "I've struck it. The Revenue service is drumming up men, and giving them good wages, and I'll be hanged if I don't go into it."

"The Revenue service!" said Jim, "why that's the meanest department in the government, and what the carpet-baggers and the scalawags leave, it seems to me these Revenue men are going to eat up. They are worse than the locusts of Egypt."

"But, see here, Jim," said I, "it's the laws of the country they are carrying out, and there can't be anything dishonorable in executing the law. There is two ways to do it in, though, and I don't see but what a man can serve his country and his people, too, if he carries out the law in the least oppressive manner possible. Besides, them officers must come. If our own men won't serve, then strangers and enemies will, and in that case, isn't it cutting off our noses to spite our faces, if we refuse to do in the right way, a duty that others are almost certain to do in a wrong one?"

"I never thought of that before," said Jim.

"Well, now, think of it," said I, "for I'm going to hand in your name to the Federal Marshal tomorrow, and I reckon, after all, you can afford to go wherever I do, for my mind's made up."

"I didn't see any more of Jim for two days, and when

I told him that I had got him something to do, and sure wages, I am certain I never saw him better pleased in all my life. So it came about that Jim and I have been a sort of compatriots all along the line for these many years.

“It was about the fifth year of our experience in hunting wild cats, that the story I’m going to tell you belongs.

“There was a man by the name of Rob Roy, who was a perfect terror to the country for a hundred miles and more, from Mount Mitchell to Salisbury. Of course, Rob Roy was not his true name, but I never knew him by any other name until long after the time of my story. This Rob Roy was the son of a gentleman, a planter of considerable wealth in one of the Atlantic States, and the young man received the best education that the schools of this country could afford. His father wanted to send him to Europe, to the great schools over there, but the son would not listen to it. He was of a roving disposition, anyhow, fond of fishing and hunting, and doing nothing generally, but in a harmless sort of way. He was not what people called ‘wild,’ but just dare-devil, fond of adventures, with romantic ideas, specially about women. While all this was going on, his proud old father took up a prejudice against the boy, and never had a good word for him. In fact, he took every opportunity to make the young man feel that he was not liked at home, and but for his mother the boy would have left home long before he did. But his good mother died, and the last link was broken. To add to the trouble the young man married a girl somewhere in the mountains—a fair, intelligent, and

well-bred girl she was, I am told, but she was *poor*. This was the last feather on the old camel's back. He disowned the boy, turned a deaf ear to all friendly pleas in his behalf, and scratched his name out of the family register.

"Young Rob Roy was too proud a man to send or offer any message to his hard-hearted father. So when the war came on he took sides on his own hook, and while he was a good friend to the Confederate Cause, no inducement could prevail on him to leave his mountain home. He had selected a beautiful cove in one of the highest ranges of mountains. It was a place almost beyond the reach of the most daring woodsman. There Rob Roy made his own little crop of breadstuffs, and laid in his provisions for the winter time, and there I have every reason to believe that he would have continued a life of peaceful habits if the civil war had not come on. As I have said, he took his own part in that, and generally as a scout, and sometimes as a spy, he did good service to the Gray Jackets. But he wouldn't enter the army, nor leave home for any great length of time, a week was the most.

"How it happened, I don't know, for you must understand that what I'm telling you came to my ears little by little, here and there, at separate times, and I'm piecing it up to make things connect. But whatever it was, and whoever it was that did the thing, it was but a few months after the war before a great change came over Rob Roy. Some people said that a raiding party came from the other side of the mountain, and cleaned him out of every pound of meat, and all the bread-corn they could carry away, and

frightened his wife so that she had one of those kind of accidents that keep women folks from ever being well again. Rob Roy swore vengeance against that party, and if he ever found them out, there was never a man left to tell the tale. Another story was that somebody hatched up a charge of some kind against him, and while he was attending the court, a party of tramps went to his house and did all the mischief they could. Which of these stories is the right one, don't matter. It was certain that Rob Roy's wife was badly treated by some inhuman wretches up there in the mountains, and he never forgave the guilty parties. As I've said, nobody knows who did the principal thing against him, but it is certain that more than a dozen men whom he had grudges of some kind against came to a bad end. He quit going among his neighbors, and turned his hand to making wilcat whiskey.

"There was some mystery about this, too. Nobody ever heard of him having any help, and yet he managed to get many a barrel of contraband liquor into the market. He came and went like a shadow. The Revenue officers were on his track for more than three years, but they never succeeded in arresting him. Nor could they find the still that he was working. All sorts of stories were going through the country, and many a man on the force believed that Rob Roy was either the 'evil one' himself, or had some very close partnership with him.

"The most energetic and intelligent men were put upon his track, but it was all in vain. Even Blackberry Simmons got badly left, and though he boasted that he never got turned down but once in his life, he

had to add one more to his failures when he tackled Rob Roy."

"By the way," said the Major, "I never did know the real truth about Blackberry Simmons and Josh Staples. Do you know the facts, Captain?"

"Don't I?" said Tige Lester. "Why, I was one of the party that showed Blackberry how badly he got fooled. It was just this way:

"Blackberry Simmons had volunteered to ferret out the stilling place of Josh Staples. The fact was that Josh was as polite as he knew how to be, and when the officers came nosing around, he didn't seem to be the least bit uneasy, but let them go where they pleased, and do as they pleased. But one day he went a little too far. A neighbor had called for a jug of wildcat whiskey, and he was in the act of selling it to him when a Revenue officer stepped out of a clump of bushes, and attempted to arrest him. Josh was too slick for this man, however, and escaped. So it was with three or four others. More than once the fellow seemed to disappear through the very earth, almost in sight of the officers.

"At last, Blackberry Simmons, who had been one of 'em himself, and thought he was up to all of their tricks, put in and offered to bring Josh Staples into court in less than a week. Well, he went, sure enough, and just as he got to the back door of Josh Staples' house, he saw Josh run and jump into the well.

"Simmons ran to the well, but by the time he got there the man had disappeared, and the water in the well was about sixty feet from the top of the curb. The water was bubbling up for all the world like

there was some kind of a body down below. Blackberry was a kind-hearted critter, and actually believed that Josh was drowned.

"Well, it happened that a party of us were returning from a successful raid up Long Mountain settlement, and stopped by just to give the time of day to Josh and Blackberry. When we got to the house, Simmons was standing by the well with a piece of looking glass, trying to sight down into the water.

"Let him alone, and he'll come up," said one of our party.

"Yes, and come back with a hearty appetite for supper," said our Deputy Marshal, who seemed to strike the trail in a minute.

"He's dead enough by this time," said Blackberry.

"Dead, indeed!" said Deputy Smith. "He's no more dead than you or I. See here, boys, I have smoked him out. I understand him. This is a limestone country. Do you understand? Well, if you don't, just hold on to this windlass, and let me down gently into the well. I'm going to see where he went to."

"Presently Smith called out: "Here it is! There is a cave on the side of the well, runs back into the limestone rock. I don't know how far."

"Sure enough, there was a cave, and the whole business of the still was carried on there; and the ingenious fellow had fixed it so that the smoke from the still came up at the back of the chimney and mixed with that of the fire-place. As cozy an arrangement as ever you saw!

"Blackberry Simmons was a sight just about then. His jaws dropped, and for the first time in a long

spell he had neither an oath nor a hard yarn to tell."

"But what became of Josh Staples? did they catch him?"

"No, indeed, the cave had several small outlets on the lower side of the hill, and he was up in the mountains long before we had found out his ingenious place of concealment. But it broke him up. He moved West and, I hear, has become a good citizen.

"But let us get back to Rob Roy. After our successful expedition and capture in Devil's Bend the head officers concluded to give me and Jim Daniels a chance to make a name and some money by the arrest of Rob Roy.

"I acknowledge that I was not 'spilin' for a fight with Rob, but if the superior officers said go, it was my duty to go or resign. Jim Daniels was rather anxious for the trip, and his enthusiasm was really unusual. I don't know why it is, but we men who hold our lives by a thread sometimes are apt to feel strangely confident of success, or as strangely forewarned of failure. For my part duty has been my guiding star, and I am not apt to be greatly elated or greatly discouraged, when I have done all that I know, and cannot charge myself with any wilful or obvious omission."

"That obvious omission," chimed in Tommy Simon.

"Young man, go to bed," said Tige angrily, "if you have not got to the o's in the dictionary, the rest of them have. I am talking to them, not to you."

"Well, when I see that there's nothing to blame myself for, I take things easy, if I haven't succeeded in my enterprise. So it seemed down

in the books that Daniels and I should 'make a spoon or spoil a horn' in the case of the United States *versus* Rob Roy. We made extra preparations for our journey. It was a matter of two days' ride by the shortest route to the range of hills in which Rob Roy reigned. He had laid the whole country under tribute, so that we knew it was utterly useless to make any inquiry of the neighbors. One can hardly have the heart to injure one of these simple mountain people because he refuses to inform upon his sinning neighbor. For my part I rather suspect one of them who seems ready to tell what he knows. But there were none of them in that country. At the same time we knew that Rob Roy would be the only fighting party that we would meet. He seemed to scorn the assistance of others, and although he was frequently seen, he was never known to be in the company of any one.

"It was a beautiful autumn day, and we crept along the mountain gorges, 'spelling' our horses by taking it afoot from time to time. The sigh of the winds in the pine trees was really plaintive and impressive. We were at the door of death it might be, for we had determined to find our man and bring him to justice. He was in the prime and vigor of life, with senses trained to extraordinary acuteness by a life of outlawry. No device that human ingenuity could construct was wanting to his defense. Every foot of earth, every crag and mountain peak, almost every flower that paraded the lost glories of the summer-time in a few faint touches of color, struggling here and there—in a word everything visible to the eye of

man was as familiar to the eye of Rob Roy and as obedient to his uses as the fingers upon one's hand. We were two and he but one, but he was on the defensive and had choice of positions. He might outwit us. He might dare to shoot us down and add our carcasses to the numerous lonely tenants of pits where human bones are said to moulder because of his unerring aim and insatiable enmity. More than one of the Revenue gang had carried home, and to an earthly grave, some of the lead that Rob Roy had melted out of the rocks in the mountains.

"It was with thoughts and feelings somewhat akin to these that we reached a small footpath on the gentle rise of a hill, nearing 'the ridge,' as it was called, and not very far from the top of the range. We were in doubt as to whether we should go farther up and descend more abruptly on the other side, or take the sideling 'trail' and go down into the valley by steps that were not quite so steep. This latter course we adopted, and as we turned somewhat abruptly around a jutting point of rock we encountered a vision of beauty."

"Hey! What now?" exclaimed the Major, "the Captain has been growing more and more poetical in these mountain adventures, and all at once he beholds a vision of beauty. I can guess it."

"Of course you can," replied Lester, "it was nothing more nor less than the most beautiful girl that I have ever seen in any land or country."

"I told you so!" said the Major, "let Tige alone for catching visions of beauty. Good! And this was really a mountain girl, flesh and blood, and not a genuine angel?"

“Come, come, Major, leave your jests aside. I mean what I say gentlemen. Her hair was not dark, nor was it golden, nor auburn, nor yellow, nor white, in fact I don’t know what color it was, but the girl was a beauty, and as graceful as a fawn. She turned aside to let us pass, but I could not let her go without some conversation. I judged from the frank, outspoken manner of the child, for she could not have been more than fourteen years old, that plain truth was my most serviceable commodity, so I asked directly if she knew where Mr. Rob Roy lived.

She answered as directly, and without the slightest embarrassment, that the path we were then traveling would lead us to his house. She hesitated a moment as if ready to answer another question, which I really did not intend to ask. Then she bade us a graceful good morning, and walked briskly up the way we had come.

“Who was she? Where was she going? Could it be that this fair creature was the daughter of Rob Roy? I had heard that he had a child about the age of thirteen or fourteen, but whether son or daughter I did not remember. Where was she going? She had a small tin bucket in her hand. Could it be possible that she was carrying her father’s dinner in this bucket? If so was he not likely at the still-house, compounding his fiery and illicit poison?

“We called a council of war just as the last turn in the path brought the form of the little maid to our view for the last time. She evidently was too intent upon her errand, or suspected nothing sinister in our presence at that place, for she did not look back.

“What should we do? Ought we to follow her at

a safe distance, and watch the place where she disappeared into some cave or den, the lair of the tiger we were hunting? For a few minutes I cherished this plan, but Daniels was opposed to it. He thought it was cowardly, unmanly, and all that. I did not think so, but abandoned the plan for other reasons. If this child was Rob Roy's daughter she would, of course, put him upon his guard, and it would be useless to follow her. He was too sensible a man to put his still in a position where two men might storm it and overpower him. We would meet him face to face, likely, but not under circumstances that would more than equalize the forces in conflict.

"So we concluded to follow the direction of the little maid and keep to the trail. Every bulging rock was a possible hiding place, and we had our fingers upon the triggers of our guns as every turn in the path might afford concealment for a man. Slow, painfully slow, I confess our march was, and it became even more painful as we felt conscious that every step was taking us that much nearer to the home of Rob Roy. Any moment the belching hail might come through these openings of underbrush, and in a moment our life story would be ended.

"A man under fire, or expecting it every moment, thinks pretty rapidly, and so did we, even in the snail's pace that we were moving. It was probably two hours since the girl left us, and we were still slowly mincing towards the outlaw's home. What would we do when we got in sight of it? Go in boldly and ask for Mr. Bob Roy?

"I happened to look back about this time, and

there was our young friend of the tin bucket, approaching us with the same firm but elastic step that had attracted my attention two hours before. She passed us with a nod of recognition, and I thought there was a sad smile that may have meant reproach, sorrow, or anger, anything; in fact, I confess I felt as mean as if I had been really doing some cowardly or treacherous act.

"The girl hastened on, however, and in a few moments we distinctly saw her as she entered the door of a cabin that seemed to be partly built out of the native rock.

"Here we called a halt. It was evident to my mind that the girl had been on some other errand, and the business of the dinner pail was a false conjecture. We could see her through the openings in the undergrowth, as she seemed busily engaged in some kind of work, frequently coming to the water-pail that sat upon a shelf outside the door.

"If Rob Roy was there, he knew that we were in pursuit of him, and no disguise could avail us. Advance or retreat, one or the other, was inevitable. To retreat, without even a show of hostility upon his part, was disgrace and ruin. To advance was death, probably, but it was our only possible course.

"We started forward and came into an open space when, behold! In the door of the cabin stood our moonshiner, the famous outlaw, like a robber in his den at bay. We drew our guns, but a moment afterward we saw that he was unarmed; and coming toward us.

"This was a new turn of affairs. As we reached the opening leading to his cabin, Rob Roy called out

to us, and asked us to hitch our horses and come in.

"Here was a situation that almost took our breath away. Was it treachery? Had he formed a trap for us, and was this seeming peaceful reception part of a desperate plan for our ruin? We had excellent side arms, the latest pattern, and surely we ought not to be afraid to venture where there was but one man to deal with. But how did we know that there was but one man there? It occurred to me that I would ask him some questions. He forestalled me by saying:

"Come in, men; this is my *home!*"

"In the flashing of an eye his meaning struck me. His honor was the pledge of safety in his home! I have read many stories of the chivalry of Eastern tribes who never harm their greatest enemies, if they have once eaten salt with them; but the nobility of this man appeared to me in a form that I shall never forget. Surely something wonderful had happened.

"Yes, something *had* happened!

"We fastened our horses and entered the door of the cabin. Rob Roy did not advance to meet us. There was no assumption of friendship which he did not feel, and no pretense of sentiments of repentance or remorse.

"But our eyes were instantly riveted upon a form that lay partly propped up by a chair and pillow. The bed was a rude but comfortable one, apparently, and the clothing gave evidence of neatness and womanly care. The occupant of the bed was a girl about the same age as the little Miss we had met in the morning. But there was a marked difference in the hollow eyes, emaciated features, and the hectic flush of the cheek of the sick girl, in all respects a

contrast to the picture of health that was moving to and fro, noiseless, but busy in some ministry of tenderness and affection.

"The sick girl lay in a position that enabled her to see us very distinctly. Her large eyes, now preternaturally large, seemed to beam upon us with a strange, gruesome light, and I felt my flesh crawl as she seemed to look me through, and read my very deepest and darkest thoughts. She seemed to rebuke me by a silent withering look of scorn, because I was seeking the ruin of her father.

"It was a very painful quarter of an hour—I thought it was a month—before one word was spoken by anybody. I had not had time even to give a thorough 'looking-over' to the outlaw who sat before me. The sick child had a severe fit of coughing, in which she turned black in the face, and I thought that she was actually dying. But the tender hand of the little maid administered something which came out of the tin bucket, and was probably the object of the morning's errand. The draught had a soothing effect, and the coughing ceased. With great difficulty the sick child called to her father:

"Pappy, it will soon be here. Now, before it comes, will you do as *she* said?"

"Yes, my child," sobbed the outlaw.

"Well, Peep-o'-Day will get the book. Then—"

Another brief spell of coughing broke the sentence, and it was some minutes before she resumed, and then only in a few words, for a sudden drowsiness came over her.

Rob Roy drew close to me, and in a whisper, said:

"We called this one Snow Bird. She came to us

one morning when the first winter's snow was beginning to fall; and that one is not mine," he whispered, almost in my ear. "I found her on the door-steps just as day was breaking. She was in a basket, and I've called her Peep-o'-Day."

The large eyes opened once more. Rob Roy drew gently back to his place, and Snow Bird said:

"The paper is here in my bosom. It is torn badly, and stained a little, for I let it drop one day; but Peep-o'-Day can read it."

Her long, skinny fingers held the paper that was barely legible, especially in the creases where repeated foldings had worn it almost into fragments.

"I don't mind them." She tried, as if to point us out. "They are good men; I hope they are. Come, Peep-o'-Day; read mamma's last words."

The little girl came forward, and kneeling at the bedside, in a soft, silvery voice, read the following lines:

"Neither morning nor night these many years without a heart-heavy prayer for him who took me when young and trusting, has been true to me as the needle to the pole, and whom I am now to leave, not forever, for he will soon follow me. When Snow Bird comes—and I feel that she will come first—I want her to bring me a message from him. I want to know that he has quit his evil ways, and that he intends to serve God and meet me in heaven. When the time comes, let Snow Bird read, if she can read at that time, the passage I name in the New Testament. Let him get the Book out of the corner cupboard, and if there is any one who can offer a prayer let it be done, but I want him to promise, on his

knees,—which he, more than once, refused to do for me—that he will meet me in heaven. Read John xiv, three first verses.”

These words were read very slowly, and the melody of the child's voice surpassed anything I had ever heard.

“Come quick, pappy,” said the dying child, “read from the New Testament.”

“The tall, shaggy form rose and took the Bible from its place in the cupboard, but his eyes were swimming in tears. His voice faltered, and he turned to me with the outstretched Book. No, not if my life had been at stake, not one line could I read of it. Daniels tried it and failed. He looked unutterably broken down. The calm little girl took the Book from him and read :

“Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so I would have told you. I go to prepare a place for you. I will come again and receive you unto myself; that where I am, there ye may be also.”

The light in the large eyes seemed to be burning with a fierceness that promised almost instant extinction. “A place for you—yes, for you, pappy—will you come?”

“Yes, my child, I will come.”

“A sweet smile lit up the dying features of the girl, as the last rosy beams of the sun sometimes fall upon a great building that lies in ruin, rekindling the glory of other days.

“Then, Peep-o'-Day, the place, the place.”

The little girl put the sick child's finger on a place in the Book, and the now livid lips of the little sufferer murmured out:

"My Father; my F-a-t-h-e-r," a sigh closed the sentence.

"She was dead.

"The words I have found since. They are in II Kings, chapter ii, part of verse 12: "My Father, my Father, the chariot of Israel and the horsemen thereof!"

"A deep stillness reigned throughout the little cabin. I have witnessed many impressive and solemn scenes. I never saw one that was equal to that.

"As soon as we could do so, without seeming to be irreverent, we passed out of the door and entered into consultation. What should be done? Offer our service to the afflicted man? Ought we to summon the neighbors, and assist them in taking the necessary steps for the burial of the dead? These questions were needless. The neighbors came in, and every attention that a rough mountain people could pay to the dead, and every consideration of kindness that could be shown to the living contributed to soothe the sorrows of the afflicted man.

"We returned with sad hearts, but better for the sorrow we had witnessed. Jim wanted to resign then, but I persuaded him of his error. He had done no harm. He was a witness to a reformation, probably, almost certainly, and some time or other he would see the fruit of our leniency to the outlaw.

"Of course nothing else was possible to me and Jim Daniels. But there are men—perhaps—well, I don't know. It's not human.

"But I am satisfied that Daniels is going to resign. The fact is, he has become perfectly captivated by lawyer Raiford's pleading, and I believe that Jim thinks of practicing law. But I gave the deciding feather that broke the officer's back this morning. You know Raiford has made a clean sweep of us this week. It looks as if we can't convict a man as long as this wonderful master can plead for the prisoner. We had some strong cases—none better ever appeared in the court—but this man is a Patrick Henry. He cut down our witnesses like young grass falls before the razor edge of a scythe.

"Jim is in despair; but he admires the attorney above all the orators on the Continent. You should have heard him describing the scene in the court room when Raiford was pleading for Overby. Every man in the room was on his feet. Even the jury stood up in the box. Breathless silence was so long continued that every man could hear the heart of his neighbor thumping upon the walls of his breast. The judge seemed to be fascinated too. His eyes followed every motion of the speaker, and when Raiford makes that singular gesture, when he seems to be pulling the words out of his mouth letter by letter and sending them white hot into the ears and hearts of the jury, it looked to me as if Daniels would break out into a prolonged bellow like a dying calf.

"Funny, was it? No, indeed. And if you had been there it would have been anything else than funny to you. This man who has refused a judge's position in one of the most important courts in the country; this man who will neither run for governor nor member of congress, nor accept any office that takes him from

the attorney's place at the bar; this man is a wonder to many. Whence he came we all know. From a little Virginia town he blossomed into reputation some fifteen or sixteen years ago. Offers of splendid partnerships have been made to him, but he sternly refuses. He says that he knows there is much more money to be made at the Baltimore, Philadelphia, or New York bar, but he has higher views than to become a mere earner of money.

"Then his singular choice of cases. There was that poor wretch that was caught selling whiskey at midnight without license," so Jim was rattling on when I stopped him. "No, sir, that case you speak of was one of the most infamous crimes that *law* has ever perpetrated in this country. A wretch goes to his neighbor at midnight, buys a little whiskey, and a tumbler half full is given him on the plea of his wife's illness, the wretched informer leaves a dime on the window sill, and next day swears out an information against the unfortunate man whose kind heart helped to entrap him. Raiford was in his glory in this case, and although the poor prisoner was broken up, his crop lost, and his family brought to want, Lawyer Raiford raised three hundred dollars in the court room to buy back some part of what he had lost. Daniels paid a week's fees himself, and after the scene was over I asked him:

"Do you know who Lawyer Raiford is?"

"Of course I do."

"No, you do not. He is Rob Roy."

CHAPTER III.

A SKETCH OF JOSEPH L. SPURRIER.

"That is very good, indeed," said the Colonel, wiping his eyes, from which more than one tear had fallen during the reading. "And if you had not vouched for the facts yourself, I would have believed that Joe Spurrier had some hand in it."

"Why so?"

"Because he has the happiest art of reforming these wildcatters. The fact is, he seems to bear a charmed life, and it looks as if he didn't believe that any of them could have the heart to kill him. He tries to reform them, and would lose his biggest opportunities for fame and 'filthy lucre' if he could restore a man to lawful ways once more."

"And that's right."

"Of course it is; but it is not common, Captain."

"The more's the pity."

"About this man, Spurrier," said Lige Lester, "I should like to know more about him. Down our way we get now and then a story of his doings that seems very highly colored, and if your man has started into the business of reforming the moonshiners, why, all that I have to say is, that he has undertaken a big job."

"And yet you have just told us such a story yourself."

"No, indeed; I did not undertake any missionary work with Rob Roy. It was all independent of me. The man had it in him. Circumstances made him an outlaw, and a good woman brought him back to honest and lawful ways. That's a case that makes that Bible saying perfectly true again. How is it? 'He being dead, yet speaketh.'"

"We are not Bible critics here, Lige; but as to Joe Spurrier, why one of our friends has written him up, and if you like will give you a few chapters of his adventures."

"I would be the gladdest in the world, and as I have three or four days to spend in town, if you'll read the documents to me I shall be obliged to you."

"Understand, now," said the Colonel. "This story of Spurrier's life is written by a friend not in the service, but one who has a warm place in his heart for every brave and true man. There is no attempt at 'fine writing,' understand, and as I am not an extra fine reader, no elocutionist, I mean, the facts must speak for themselves."

"All right. Let me light my pipe, and then you may fire away."

J. L. Spurrier was born near Abingdon, Virginia, in 1848, and came with his parents to Tennessee when quite young. In 1874 he was appointed as deputy sheriff of Overton county, Tennessee, in which capacity he served two years. In 1878 he was appointed United States Deputy Marshall under E. D. Wheat. He made frequent raids with others upon the wildcat distilleries of that section, and after serving two years he removed to Texas, where he met with such unexpected reverses he was induced to return to

Tennessee with an invalid wife. Unlike his predecessors, Spurrier rarely failed to bring to justice, sooner or later, offenders against the law; while he gained their confidence and often made fast friends by teaching the ignorant their duties. These people had peculiar views with reference to the Revenue laws, and by giving an encouraging word of advice and telling them what was best for their good, he gained not only their confidence, but convinced many of their mistakes, in consequence of which many have abandoned the business and taken up more honorable vocations in life.

Captain Spurrier had peculiar characteristics which have won for him many friends and the confidence of his superiors in the Revenue department.

It has been customary from time immemorial to locate distilleries in the hill countries of the mountainous districts when a suitable stream of water could be found for the business. At an early day it was claimed that such distilleries were necessary for the consumption of the surplus. But experience teaches that they have invariably been found to be fountains of idleness, poverty and bloodshed. In the mountains of Kentucky, Tennessee and Alabama, for many years previous to the late war, many distilleries could be found around which lived some of the most God-defying, God-forsaken people that perhaps could be found in any country. There was no Sabbath day among them, and they served the devil, their master, seven days in the week, with zeal and fervency. These people would take every opportunity to show their dislike for the Christian religion. Horse-racing, cock-fighting, gander-pulling and other

cruel sports were indulged in as pastime, while uncles, nephews, fathers and sons, would fight and gouge like wild animals. As for such a thing as legal restraint, the idea was laughed at; grand juries were compelled to wink at what they dared not present to the court. Circuit Judges suffered the grossest infractions of the law, while Magistrates, Constables and Sheriffs were in league with each other, and were all "hail fellows well met." Such was the situation when the war closed, and when the Revenue officers attempted to enforce the laws, a pandemonium reigned on account of the imaginary wrongs which this people believed were being perpetrated upon them. The nearer a man gets to the devil, the more a true man of God will try to save him; hence, circuit preachers were sent among this people frequently, but many of them who went returned, only too glad to get off with whole bones, while they took care to say as little about the matter as possible. The preacher found the atmosphere pervading such regions incompatible with his feelings, while he could only regard such a country as fit only for devils and demons.

After the tax was levied these people found themselves compelled to pay tribute to the Government. Many of these distilleries were hidden away in the recesses and caves of the mountains, and if a traveler chanced to fall in with one of them, he never stopped but once. No churches, no school-houses, but a score of wildcat distilleries run by men that defied both God and man. Notwithstanding this unpromising state of affairs, the faithful man of God continued to visit this God-defying people, thinking only perhaps of some lost soul. If the preacher, how-

ever, who ventured into such communities expected to find an easy place, he was as much mistaken as if he had gone into the dark continent of Africa.

It was in this rough and almost savage world that our hero was called to exercise those talents which a precious Providence had given him. Not the least of these gifts was *bravery*. A man in the heat of battle stands to his post, because every spot is a place of danger, and his mind is occupied with observing the enemy. To say that one is never *afraid* under such circumstances, is surely wide of the mark.

I take it that every soldier feels somewhat like the Gray Jacket who saw the white tail of the rabbit as he galloped between the ranks of two contending armies, "Go it, little cotton-tail," exclaimed the soldier, "and if I had no more reputation at stake than you have, I'd follow you!"

That's the gist of it. A man feels his danger, but he stands to his post, simply because honor is more to be prized than safety.

Now, Joe Spurrier was like other men. He was not insensible to danger, but he was superior to the fear that is natural to a man when his life is in peril.

Another characteristic of Joe Spurrier was *gentleness*. This is not a common quality in men who have to deal with the worst of characters, outlaws and criminals. But Captain Spurrier's heart was as tender as a woman's. With that rare intuition which belongs only to such men, he could read the features of a man, and comprehend the working of his inner consciousness, or perhaps, I ought to say the struggles of his *conscience*. Whenever he found such a

man, he opened the way for his rescue at once. And I believe it was a very uncommon thing for him to be deceived in a man. His kind manner, and the winning tones of his voice, seemed to go directly to the heart of the offender, and brought up from the depths of his soul those neglected, but not forgotten teachings of an honest and virtuous childhood. The mother's prayer, the sacred memories connected with the blessed dead—all of these acquired new force and power when Spurrier used them to effect the reformation of an offender.

Another quality which contributed to the success of Captain Spurrier was *truthfulness*. No man could doubt his word. He never deceived a moonshiner to capture him. Tricks that are considered lawful in war he never used. When he gave his word to an outlaw, even if it promised security from arrest or prosecution, the lawless moonshiner knew that he could depend upon it. Much that passes for "detective cunning" is simple *treachery*, indefensible from any moral standpoint. Spurrier never employed these stratagems. Superior vigilance, greater activity, the advantage which pride, vanity or folly offered to his hand, as a sensible man he never failed to utilize, but no inducement could be offered that would render Joseph L. Spurrier's word anything less than the plighted faith of an honorable and truth-respecting man.

Finally, to crown the qualities that made him singularly successful, we must add that of *untiring diligence*. Possessed of a physical organism of extraordinary capacity for endurance, his heart was large enough to bear him out in the long and solitary

watchings, the slow, and sometimes inexpressibly tedious measures which prudence compelled him to adopt.

With this complement of virtues, we shall find him often in single, hand-to-hand conflict with men who were the terror of the country in which they lived; men who defied the government and all of its agencies.

CHAPTER IV.

SUPPOSED INJUSTICE OF THE LAW.

When the tax was first levied upon liquor, and the laws were enforced upon such distilling, it was thought to be a hardship upon the people of these mountainous regions by many of our best citizens, since it deprived them of a privilege that the government had no right to interfere with. This antagonism soon grew to desperation, and when the government undertook to enforce the law many brave and daring fellows who were worthy of a better cause arose in arms and declared war upon the Revenue officers generally. Many such erected their distilleries in rather conspicuous places with an organized force to resist an interference. This disregard for law did not last long, for when it became generally known that commissioned officers were empowered to destroy distilleries and bring to justice these owners, then the distilleries were set back into the hidden recesses where they were not only difficult to find, but their owners made it dangerous for others to interfere.

Sometimes these distilleries were located in the rock cliffs; sometimes in the subterranean canyons where they could only be reached by ladders.

It is said that the underground works were more easily raided, since the raiders had the advantage of the light which the wildcatters were compelled to have, to ply their vocation.

In giving the details of these blood-curdling scenes among the moonshiners, we are not without the forcible impression that the government committed grave mistakes in sending out indiscreet or reckless officers to deal with a people that were susceptible of advice or instruction; such advice might have saved much bloodshed. But when an indiscreet set of reckless men were sent out clothed with authority to pillage, burn and destroy what this people believed to be theirs of right, is it to be wondered at that they would rebel? There is no people who show more appreciation of kind treatment than the people of these mountainous regions, and when they do not understand the requirements of law, they should be more liberally dealt with, and when made to know the requirements of the law, it has been clearly proved that they do not require such harsh treatment. Many such people become desperate from having been tyrannized over by others less worthy than themselves, and the result was opposition to all creeds that did not conform to their way of thinking. That such a state of affairs is damaging to any community cannot be denied; therefore, there is always some one in every such neighborhood ready to report wildcat distilleries, no matter how secluded they may be. But in the same community again there is a demagogue ready to fire up the minds of the trespasser for his own personal greed. Hence, the common law courts were found to be inefficient in bringing to justice the violators of the law. Such manipulators of law would often have the Revenue officers indicted for trespassing upon the distillery. Thus it happened that such offenders were brought before the Federal Courts for trial.

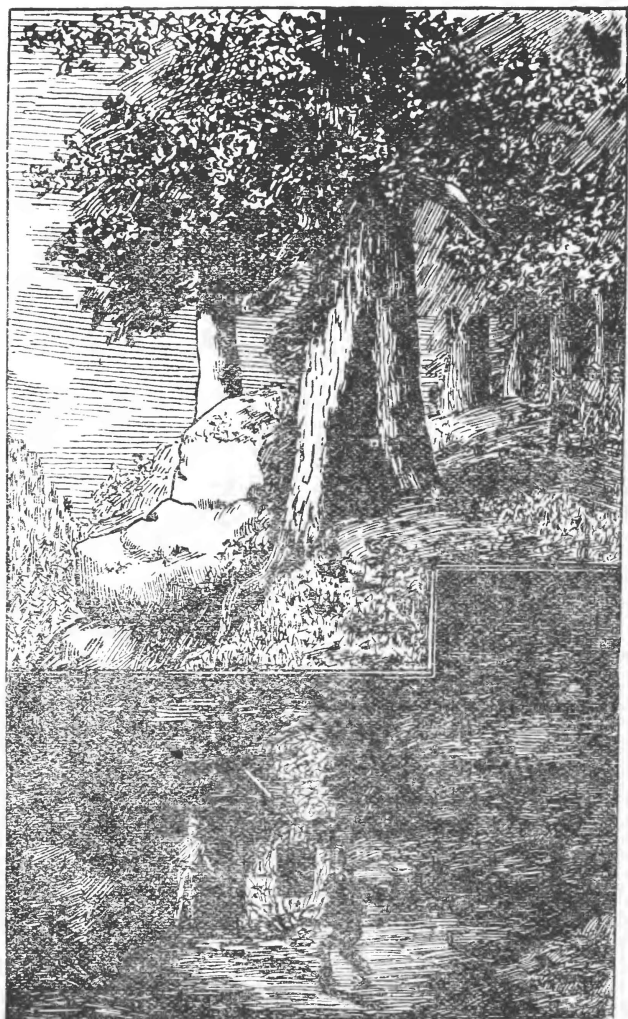
CHAPTER V.

THE UNDERGROUND DISTILLERY.

A capture made by Captain C. C. Spear, of East Tennessee, was an important event as well as a romantic one. The story involved was not only romantic, but a matter of lawlessness, jealousy and revenge in which several parties were brought to grief. Two young men were engaged in running a still for making wildcat whiskey in Monroe county, Tennessee, when a rivalry sprang up between two young girls in the neighborhood that were being visited by one of the young men. One of the girls, in order to get revenge upon the other, sent a note to Captain Spear, giving information about a still that was being operated in rather an ingenious manner.

The Revenue officer readily responded to the note, carrying with him three other men. The girl seeking revenge consented to pilot the gallant Captain to the distillery in question, and mounted up behind him she directed the way to an underground distillery that could only be reached by descending the hollow of a tree. The party reached the place about two o'clock in the morning, and the informant beat a hasty retreat. The hollow of the tree was found and the descent made. When the officers got to the bottom of the little dirt steps the unmistakable odor of beer was detected. After groping their way for some distance they suddenly came upon the young men

who were, sure enough, engaged in making wildcat whiskey. The officer lowered his gun and ordered them to surrender. The order was readily obeyed, and the distillery was destroyed. The smoke from this ingeniously contrived distillery was carried off through an out-house that stood near, while the waste and refuse ran through a blind ditch for nearly a half mile.



CHAPTER VI.

SHOAT'S ARREST.

The characteristics of different men engaged in making wildcat whiskey are varied, and while a few engaged in making wildcat whiskey have some compunctions of conscience, as a rule, they have been found to be reckless and with but little fear of after consequences. "On one occasion," says Captain Spurrer, "I was called upon to look up and arrest George Shoat, a man noted for his cool courage and recklessness. We found him in bed at his boarding-house. We had but little difficulty in making the arrest. He was carried, at his own request, to a neighbor's house where he represented to us that he had a friend who would make his bond, his only object being a chance to make his escape. We consented to go with him to the place designated, but as we walked into the house, he managed to get some children between him and myself, when he bounded out at the door and made his escape.

"It was, perhaps, six months afterwards before I had another chance at him. I accidentally happened upon him in the road walking with a young lady who was on her way to church. I took in the situation at a glance. Knowing the man with whom I had to deal, and knowing too that he had been engaged for years in wildcatting, I was prepared for a fray. I said to the young lady, 'please fall back,' which she

did. Shoat was taken wholly by surprise, and the consequence was that his arrest was again an easy matter. We ordered a forward movement and left the young lady standing in the road alone. After going a short distance, Shoat turned to me and said, 'Spurrier, I cannot make a bond, and it is useless for me to try, and I do not want to go to jail under such circumstances,' and as he looked me straight in the face, the tears trickled down his cheeks, when he said, 'Spurrier, I have not been to church before for five years, and I had promised this young lady, and in good faith had started with her to church. Now, if you will allow me to go on with her, I promise you here and pledge you my honor as a man, if need be, upon my knees, to meet you at court and answer the charges and stand my trial, though I should suffer for it.'

"This was more than I was prepared for. My poor, frail humanity succumbed, and I then and there determined to go on his bond myself and allow him to go on with the young lady to church. Shoat was true to his word, and notwithstanding Judge Key had forwarned him before that if caught again for such an offense, he would be sent to the penitentiary, he kept his word like a true man as he was, came to court, received his sentence, served out his term in the penitentiary and returned home where he shortly afterwards died."

CHAPTER VII.

A CLEVER RUSE.

On the east fork of Obed's river there may be found one of those rough, wild regions, noted for its wild-cat whiskey, with many rough, reckless characters living around in that region. Among other reckless characters, was one David Swallows, noted not so much for his daring or bravery, but for his unscrupulous tricks and falsehoods. Swallows was not what would be termed an outlaw in the true sense of the word, but he was unreliable.

"With three other officers," says Captain Spurrier, "I was directed to Swallow's distillery, where I found him hard at work. He was arrested and the distillery destroyed. But before leaving with him, he claimed that another man had run off with his wife a few days previous, and left three small children for him to care for. He was allowed to see his children, but we had determined to carry him to Cookeville, where, if he failed to make a bond, he would be put in jail. Swallows knew full well that it was the custom of the officers to handcuff their prisoners, or risk the chances of running them down. Hence, when he found that I had determined not to handcuff him, and believing that I would not shoot him, he determined to make a break for his liberty, which he did and made his escape. It was but a short time after this, I was told Swallows leveled his gun from

a port-hole in an old mill to kill me as I was passing. It was said by the miller that he repented, came back and said to him, 'Spurrier has never harmed me, and I cannot have the heart to kill him.' Shortly after this occurrence, I located Swallows again at the house of one of his accomplices, whose name was Bill Phillips. He lived in a small cabin with only one room in it, and with but one door. I had with me three other men, E. Chasteen, L. McDonnold and M. S. Petite. As we approached the house, two men were seen coming out; one carried a jug and the other a gun. The man with the jug proved to be Swallows, and as he approached the fence he discovered who I was, and stopped. I called to him to come out to the fence, but instead of doing what I had directed him to do, he seized the gun which was in the hands of Phillips as if to shoot me; as he did so, I fired my pistol which caused him to drop the gun and run across the field. He was followed by the two men who were with me for some distance, but again made his escape. I went into the house and found the gun, but Phillips was no where to be seen. I fired off the gun as a matter of precaution, but was accosted by a lady who said to me, 'please do not shoot any more, as there is a very sick lady in the house. I stepped to the door and saw that some one was closely covered up in bed, made my apology for disturbing the sick, and retired from the scene. But afterwards learned that the sick woman was Phillips himself, who had so suddenly and mysteriously disappeared while I was intently watching the race across the field between Swallows and the men who were after him.



"I caught on to the trick and ever afterwards I was on the lookout for the sick. It was a short time after this that I was on the lookout for a Mr. Cravan that was boarding with a Mrs. Cook, a lady who had several children, among whom was a young lady about grown. When I called for Cravan, Mrs. Cook, the old lady of the house, said to me that he was not at home. After modestly requesting Mrs. Cook to allow me to make a search of the premises, I was told that I could do so if I would not disturb the children, who were all asleep. After searching other parts of the building, I concluded to look in upon the children. I saw some one closely covered up in bed, that aroused my suspicions. I was assured by Mrs. Cook that the person referred to was her grown daughter. I requested that she uncover her head that I might see the face. To this objection was made on account of the modesty of the girl. This aroused my suspicions again, and I was the more curious to know, and was about to uncover the face myself, when she threw back the cover, and a demand was made of me to know if I was then satisfied that it was not a man! I then left the premises without further search.

"Shortly after the incidents above related I was again on the lookout for one J. M. Ray, a violator of the Revenue laws. He was boarding in a house where there were several women. It became necessary that search be made for Ray, and I so expressed myself to the ladies of the house. I was told that there was no objection if I would not disturb grandma's room. Said one of the ladies: 'Grandma is very sick in one of the rooms, and not expected to live, and we are now expecting the doctor very soon to see her.' My

suspicious were again aroused, and I requested to see grandma. 'No,' said the lady, 'it would very much excite her, and we would rather you would not let her know you are about; in all probability it would cause her death.' I then said to her, 'Madam, I will only look in upon your grandma, and if it is as you say I would be the last man to disturb her.' It was agreed that I should go to the door and look in on the old dame if I would not let her see me. This, of course, raised my curiosity to know what kind of a face 'grandma' had. I requested that her face be uncovered, but to this objection was again made, and I, of course, was then driven to the extremity of uncovering it myself. After considerable effort upon my part to remove the cover, a face was disclosed with a long, shaggy beard. I found 'grandma' not so sick after all, and with a little persuasion 'she' was induced to take a short horseback ride where a bond was made for her appearance at court."

CHAPTER VIII.

SPURRIER'S MISTAKE.

"The incident referred to in this chapter was one in which I allowed my zeal to get the better of my judgment," says Spurrier. "I went alone into one of those retired settlements which was known as the Grant neighborhood. It was not only known as a famous place for making wildcat whiskey, but was known for its recklessness and immorality. Sam Whitaker, the man I was after, lived in the neighborhood, and I also had a capias for John Grant. I went to the house of Whitaker before day, in the morning, tapped at the door and some one answered by calling, 'Who's there!' I knew it to be the voice of Whitaker and answered by telling him that it was Spurrier. I said to him, 'I have come for you, and you must go with me.' Whitaker readily consented to go, and seeing there was so little trouble in arresting Whitaker, I was indiscreet enough to think I might arrest and carry back with me John Grant also. I suggested the matter to Whitaker, and told him he must go with me to Grant's house, who lived near by. We had gone but a short distance when horns began blowing as if some one was being notified of my purpose. I said to the prisoner, 'this is significant of some evil; at any rate I do not understand this blowing of horns at this time in the morning; perhaps you do.' Said Whitaker, 'I am not aware of any

thing being wrong; I can only believe that it is some one who has been fox hunting.' We soon came in sight of several houses in a cluster. This cluster of houses I was told was old man Grant's house and others of the family. Several of these houses were within one hundred yards of each other, and to say the least of it matters began to look rather squally for me. I saw several men clustered together, while one tall, lean, lank fellow was engaged in pushing down a bullet in to one of these long range old fashioned rifle guns. I said to Whitaker, 'I am now in for it, and shall in all probability be killed; but if I am attacked, mark my word, for it your life must pay the penalty; I shall kill you first. I shall go forward now, but your actions must govern me in what I may be compelled to do against my will. If you give the least sign or signal, by word or act, your life must pay the forfeit.' We rode forward, and I said to the old man Grant that I had a capias for John, and had come for him. Said the old man, 'John is there in the house, and if you think you can take him, go in and try it.' This was more than I had bargained for; in fact, I very soon saw that I had already gone further than I wished. I saw that I was in a dilemma, that it would be difficult for me to extricate myself from. Eight men huddled around together, while one was loading his gun, and for what I knew not, made me think and think fast. I therefore said to Whitaker, 'Let us be going, and mark what I have said to you.' I plainly saw that my best chance was to hold to my prisoner, and if need be make a sort of breastwork or defense of him. As we started off some one called to Whitaker to come back, but know-

ing the desperate strait in which I had placed myself, I determined that my prisoner should not get far away, and again said to him, 'Beware of what I have told you.' I retired in good order, and succeeded in getting out with my prisoner, but not, I am sure, without some additional gray hairs in my head. Not satisfied with my first effort to arrest Grant, I secured the services of another officer and started back into the Grant settlement. They were on the lookout for me and had made preparations for my return. When near the Grant settlement, and just before entering a gorge in the mountains, I was overtaken by a messenger who informed me of the death of a brother. This sad news changed my plans, and I determined to turn back. I afterwards learned from a reliable source that the Grants, with a formidable force, were lying in ambush within a half mile of where I turned back, and for the sole purpose of murdering me."

CHAPTER IX.

RANDOLPH'S CAPTURE.

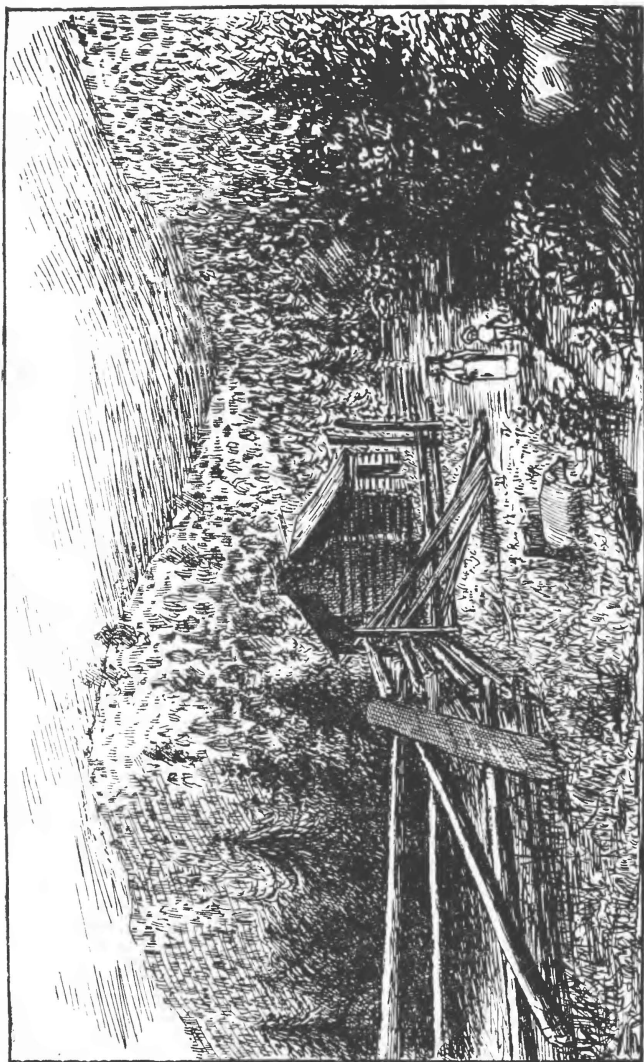
Sometime after my adventure with the Grants, says Captain Spurrier, I was told that Sam Randolph, who lived about five miles from the Grant settlement, was engaged in making wildcat whiskey. I started alone again to arrest Randolph, and stopped with an old gentleman who lived not far from Randolph's house. I fed my horse, and started out early next morning. I found and captured my man without any unusual excitement, as I thought, in the neighborhood. I learned very soon afterwards, however, that I had been seen coming into the neighborhood the evening before Randolph's capture, and that the Grants with their friends, had made every preparation to hang me. They had cut the cords from an old-fashioned bedstead for the express purpose, and but for the interference of an uncle of this man, Whitaker, whom I had previously arrested, my bones, perhaps, would be bleaching upon some lonely mountain side. Whitaker was let into the plot, and went in person to the assembly, and told them that they were not only doing wrong, but bringing trouble upon the neighborhood. He said, 'Spurrier is only doing his duty as an officer, and has done nothing wrong whatever. Furthermore, before you shall hang him you must kill me first. I know him to be a gentleman, and I shall kill the first man that attempts to hurt him.'

CHAPTER X.

DAVIS AND CAMPBELL ENCOUNTER DESPERADOES.

"The incidents related in this chapter," says Captain Spurrier, "fully awakened me to the fact that the determined purposes of the moonshiners had been aroused, and to such an extent, that it was unsafe, as well as foolhardy, to go among them unprepared for any emergency, and I so expressed myself to Captain Davis, who was then in the Revenue service, and was notorious for his deeds of daring as a Revenue officer. Davis said, 'I can take one man and go into any part of the country and capture any man in there'; and in order to prove the assertion, he requested to be allowed to try the experiment. He was furnished one man, Mr. George Campbell, a Revenue commissioner, to accompany him. There was at the time living in the Grant settlement, another family equally as determined as the Grants, whose names were Welch. Several of the Welch family held important official positions in the neighborhood; one being Justice of the Peace, and another one was the Constable of the district. Campbell and Davis proceeded to the neighborhood, and after making several ineffective efforts in the neighborhood to destroy some of the distilleries, Davis and Campbell went to the distillery of A. J. Lee, against whom there was conclusive evidence of his having defrauded the Government. The brandy on the premises had been

seized, and while attempting to secure a wagon for its removal, one of the Welchs came up, who was then the acting Justice of the Peace. In a very short time another man came with Lee, the owner of the brandy. When he came up, he insisted that Campbell and Davis should stay with him there over night. It was thought to be a little strange that Welch, who was only a neighbor, should also insist that Campbell and Davis should stay there over night with Lee. Captain Davis put some questions to Lee with reference to his violating the Revenue laws. Welch here interposed, and interfered in such a way and manner, that Campbell, who was clothed with proper authority, was ordered by Davis to make out papers against Welch for interfering with officers of the law in the discharge of duty. While Campbell was attempting to make out the necessary papers, Welch interfered in a boisterous manner, and when asked to desist, replied by stating that he was Justice of the Peace, and claimed rights as well as they. Campbell then arose to his feet and commanded him in a threatening manner to desist. This was a signal for an attack, and Alexander Welch, the Constable, came up behind Campbell with an axe, struck him a stunning blow upon the head, and Campbell fell senseless to the ground. Davis being in the house, was attracted by the outcry, came out of the house and rushed upon Welch, and felled him with a blow from his gun. He then struck Thomas Welch and knocked him to the ground. Alexander then arose again with his axe, when he was again knocked down. Seeing him rise again, Davis knocked him down a third time. At this juncture, some one struck Davis from behind,



A MOONSHINER'S HOME.

and crushed his skull. Mr. Taylor Goff came up and partially succeeded in quieting the difficulty for a short time. Campbell found that Davis was not dead, and made an effort to get him out of the way, and while thus engaged, he saw two men coming up with guns. John Welch, who proved to be one of the men, opened fire upon Campbell and Davis. Seeing Davis again fall to the ground, Campbell left him and made his escape. The Welchs believing Campbell had made his escape, and that Davis was dead, went to where their horses were hitched, and cut the throats of the innocent beasts, and allowed them to die, swinging to the limbs upon which they had been hitched. Davis proved to be severely wounded, and made his way to a fodder stack, where he lay until next morning, and notwithstanding he had been severely wounded in the hip, in addition to a broken head, he was enabled next morning to reach the house of Mr. Howard, two miles away from the house of Lee. After dressing his injuries, Mr. Howard sent word to Cookeville of his condition, when a hack was sent out for him, and he was removed to where he could be properly cared for. Davis was soon on his feet again, but considerably wiser, having met difficulties that he had not dreamed of."

Captain Davis was not so fortunate as the hero of these sketches, since he not only killed several men, but was himself killed at the hands of moonshiners.

Previous to Davis' death, an organized band of moonshiners had determined that he should be put out of the way. He had annoyed many of those engaged in wildcatting in the vicinity of McMinnville, until becoming exasperated, they banded together for his destruction, waylaid and ambushed him near McMinnville, where he was killed from a volley fired from behind some logs.

CHAPTER XI.

DR. SYPORT'S ARREST.—THE PENSION SWINDLE.

Dr. Syport was a brave, daring fellow, but, withall, a reckless, dangerous character who feared neither God nor man, and yet he was looked upon by his neighbors as a worthy, good citizen. He was arrested and arraigned before the Federal Court for defrauding a widow lady out of her pension money. She lived near Laurel Hill, DeKalb County, Tenn. Jack Bond was the first man who arrested the Doctor. He was carried before the Federal Court, or a United States Commissioner, where he made a bond for his appearance before the Federal authorities. When he was arraigned for trial he realized that the testimony against him was more damaging than he had thought. He therefore made his escape and left his bondsmen to foot the bill.

Jack Bond made several ineffectual efforts to re-arrest Syport, but finally becoming alarmed himself, from hearing heavy threats which were being made by Syport and his friends, Bond gave up the papers in the case and declared that he would have nothing more to do with it.

Spurrier was then placed in charge of the papers with instructions to arrest the Doctor at all hazards. Spurrier says when he went into the neighborhood he was informed that Dr. Syport had learned what he was after, and through his brother-in-law he was told

that Syport had said that he would die before he would be arrested, and Spurrier was further told that if he attempted it he had better prepare for death. He learned very soon that Syport had gone to East Tennessee to avoid arrest.

"I followed him," says Spurrier, "but learned when I got there that he had gone back to his old haunts. I hurried back to Nashville and deputized H. E. Graves, a man whom I knew to be a stranger in the neighborhood, that I might locate my man before I attempted to capture him. Graves assumed to be a cattle buyer, and rode up to the house of Syport and made inquiry for cattle. Dr. Syport came to the door in person, with two other men who were heavily armed. An agreement had been made with Graves that I should meet him beyond the house of Syport to determine upon some plan for action. Graves rode up to where I was and informed me of the facts in the case; when I said to him, we shall, in all probability, have to fight, but if you do not care to go with me I shall go alone. Graves' reply was that he would stand by me in any emergency."

"A heavy cloud was then gathering in the west, and it was evident that we would have a shower of rain. I availed myself of this opportunity to make the attack during a heavy storm of wind and rain. We made a break for the house, but encountered two small boys who were sheltering themselves from the storm under the branches of a large tree. I said to Graves, you take charge of one boy and I will take the other and we will keep them in the background, and before the boys could give the alarm, Graves was



A DESTROYED STILL.

at one door of the house and I was at the other. The three men were found at a table playing cards, with their guns upon the floor. I said to the Doctor, 'Sir, I have learned that you have said that before you would submit to an arrest you would die fighting. Say quick what you will do. I have come for you, but do not wish to hurt you here in the presence of your family if it can be avoided. You can not afford to kill me, nor do I wish to kill you.' His reply was, 'you have the advantage, and I surrender.' 'Then up with your hands, while you two men vacate the house as quickly as possible.' This sudden surprise had demoralized the men who were with him, and the consequence was that the room was soon vacated, leaving their guns upon the floor. I then said to the Doctor, 'take from your pocket that pistol and slip it under the pillow of your bed, and any suspicious movement upon your part will be hazardous for you, and I shall be compelled to do what I do not wish to do. The guns were then shot off, and with my prisoner secure I said to the Doctor that it was my intention to stay two miles from his house, on the road, and would allow Mrs. Syport with her baby to visit him in the morning and arrange such matters as he wished before leaving.

"I was careful not to go to sleep during the night, but with my pistols on a table before me, I kept watch myself until morning. I said to the man of the house that perhaps there would be an effort made to release Dr. Syport before day, but for his own good and that of his family, I would have to say to him not to answer any door-call that night which might be made, lest I should be compelled to shoot through the doo

from my room and thereby endanger some of his family. This injunction was strictly observed through the night. At a late hour, however, I heard muffled steps around the house, and a low whispering that aroused my suspicions. I was informed next morning that a posse had been there for the purpose above stated, but being warned by the man of the house of the danger of such an effort they had given up the project. He said one of the men went to the window of my room and peered through a broken slat. He came back and said to his comrades he could see Spurrier with his pistols before him and wide awake. 'I for one,' said he, 'do not care to die yet, and shall go home. The rest can do as they like.' All agreed, however, that it was inconvenient to attempt what they had come for, and I was left the remainder of the night undisturbed. Mrs. Syport was there the next morning with her child, and as they gathered around the father and husband with a wail of distress, I said to Graves, 'take charge of the prisoner; I can not witness the tears of this good woman without shedding tears myself.' I went out and took a good cry, and after quiet was restored I took charge of the prisoner, and brought him to Nashville, where he was sentenced for seven years imprisonment."

CHAPTER XII.

BRADLEY'S ARREST.

In the vicinity of Fountain Head, Sumner county, Tennessee, about the year 1885, there existed a reign of terror which was perhaps unsurpassed by any of the wilder regions of the mountains. No less than five men, who were Revenue officers, had been killed by unknown parties. It was but a short time previous to the incidents herein related that United States Deputy Marshall Miller was missing. Spurrier had just returned from Texas, and was told of the existing circumstances, and that the grave of Miller had never been found. He was also told that a notorious character in the neighborhood was suspected of the murder, but no conclusive evidence could be had nor even testimony that would justify an arrest. It was well known that four other Revenue officers had been murdered in the same section of the country. Spurrier, on hearing the details, signified his willingness not only to undertake to find the grave of Miller, but to bring to justice the actual murderer. This was thought by the authorities to be not only a useless but hazardous undertaking. Spurrier was assured, however, that if he would take the risk his expenses should be paid, and if successful in his efforts he would be remunerated. He selected only one man, a United States Deputy, to go with him, but left him two miles from the scene with instructions to await

further orders. Spurrier says, "I reached the neighborhood about ten o'clock at night, went into the woods near the house of Bradley, the suspected murderer, and after a careful search about day light next morning and before anyone was stirring, I was surprised by finding a newly made grave under the upturned roots of a tree in a dense thicket of underbrush. I cautiously removed the dirt in order to make sure that I had found the missing body of the dead marshal. I secured a bit of the clothing which I concealed by hiding it within the lining of my vest. I then wrote a letter hastily detailing the situation, which I placed in the hands of one of the neighbors whom I had learned could be relied upon. Believing that my chances were desperate and uncertain should I attempt the arrest of a man that was known to be the terror of his neighborhood, I had in the meantime summoned three of his neighbors to assist me. Twenty men had made search for the grave before without effect, and I was fully aware that five others had met a tragic fate, which perhaps awaited me; but I had fully made up my mind to arrest Bradley at all hazards. These three men whom I had learned were true and trusty, had been summoned, but said to me that they had lived in constant dread of Bradley for sometime, and did not care to encounter him if it could be avoided. When they were told that it was my purpose to arrest him, they seemed to be somewhat alarmed, and said it was useless to make such an attempt, since he carried a double-barrel shot gun with him, and besides he was a much larger man than I was. One of the men said to me that he had just gone down the road with his two little boys

and his gun upon his shoulder. 'We are willing to show you the field where he is at work,' said he, 'but none of us care to have dealings with him in any way, and if you should fail in your efforts we might suffer in consequence.'

"Bradley was a tall, raw-bone man, heavily set, with a heavy beard and a mustache long enough to tie behind his ears. His general appearance was that of a ferocious beast, indicating something more than an ordinary man. One may readily imagine the formidable antagonist with which I was about to grapple when it is remembered our weapons were about the same. I found Bradley sitting upon a stump; his gun was upon his lap while he scanned the surroundings. I had previously arranged with Brown, Bracken and Braden, the three men I had with me, that if Bradley was seen to throw up his hands they were to come immediately to my assistance, otherwise if I was killed they had agreed to see that my body was returned to my friends. After waiting quite awhile for a favorable opportunity to approach, Bradley was seen to set his gun down and with a huge knife commenced cutting and shocking corn. In the meantime I was crawling through the mud and dirt to get a more favorable position. When within about thirty yards of where his gun sat, and while he was off his guard and on the opposite side of the cornshock, I rushed upon him. Besmeared and splattered with mud and dirt as I was I must have presented a spectacle that Bradley was not prepared for. He said to me afterwards, 'My first thought was that the devil had arose before me.' Before he had time to collect his thoughts I ordered

him to throw up his hands with a threat that must have overawed him, for his hands went up, and enough had been seen by the other men to come to my assistance, and before Bradley had time to realize the situation he was securely handcuffed. He soon rallied, however, and demanded to know where my men were. When I told him I had no men except what he saw, he turned and fixed his ferocious eyes upon me and demanded that the handcuffs be removed immediately. I was not to be overawed at this stage of the game, and I said to him, 'Sir, I did not come here to trifle with you; I came to kill you, or be killed; but if you will do as I say, I will spare your life, otherwise you must take what follows. I have found the grave of Captain Miller, one of your victims, and you must take that corn row and follow it to the fence, then over to the grave of Captain Miller; and mark what I tell you before you start, move cautiously before this gun, otherwise your life must pay the forfeit.'

"Bradley realized that he had a determined man to deal with, and taking in the perilous situation he moved as directed, and when he reached the grave he turned deathly pale, and leaning against a tree called for water and fainted.

"After recovering from his swoon those terrible eyes seemed to rest on empty space, and as he gazed out into futurity one can only imagine his thoughts."

CHAPTER XIII.

GUARDING THE GRAVE.

“The excitement which followed Bradley’s arrest in the neighborhood when it was learned that Miller’s body had been found, and that Bradley had been arrested for the crime, it may be imagined, was at its highest pitch. The neighborhood having been aroused, men, women and children gathered from miles around about the grave, and as they assembled it was noticed that Bradley’s friends were there, and the situation was yet perilous. In the meantime the man I had left in the rear, Deputy Marshal Wright, was notified. He was soon upon the ground and arrangements made to convey the prisoner to the nearest railroad station, which was nine miles away.

“Some of the more trusty neighbors were sent out for horses, while I gave specific directions for conveying the prisoner to Nashville as hastily as possible, realizing that there was yet danger of an uprising of Bradley’s friends. Horses were soon brought in and Bradley was securely tied upon a horse, put in charge of Capt. Wright, with instructions to hasten the prisoner to the station and as quickly as possible land him in jail. I was then left to watch over the grave of the dead marshal, surrounded by the citizens of the neighborhood (among whom were known to be the friends of Bradley), lest some one might attempt to remove the body and thereby defeat the

force of evidence which had been already accumulated. Not knowing how many friends Bradley had in the neighborhood, I took the precaution to summon a force sufficient to overawe the suspected ones until relief could be had, in answer to a telegram which had already been sent to the authorities.

"Night coming on, a guard was put out to notify me of any approaching danger, and every precaution was taken to meet any opposition that might come up. About 9 o'clock at night I was notified that a party of horsemen were approaching, who wished to confer with me. The leader was requested to approach and make known his business. He came forward, and to my great relief, it proved to be a brother of the murdered marshal, who had been telegraphed to come to my assistance.

"It would be hard for one not familiar with the surroundings to realize what a relief it was to one who had stood guard for fifteen long hours, with no refreshments but what had been handed in by the kind neighbors, after such an exciting scene of the early morning.

"The next morning brought the Coroner with a jury of men, and while the inquest was being held someone suggested that there were two young men in the vicinity who would perhaps be important witnesses if they could be induced to come. One of them was the son of Bradley and the other was a Mr. Moore. I said to my informant that if he could induce them to come and meet me in a skirt of wood not far away, I would talk with them and see what they knew, and, besides, said I, if you will induce them to meet me, I will not only pay you five dollars, but will pledge

them that no one else shall be present. It was but a short time until I was informed that the young men were in waiting at the designated place of meeting, and with a capias which I had previously secured for both individuals, and a double barrel shotgun, I soon had the accomplices of John Bradley in chains, and after sending the remains of Miller to his friends, I boarded the train with my two prisoners and was soon back again with my friends in Nashville, where I found the excitement had run high at the news of Bradley's capture."

CHAPTER XIV.

MILLER'S DEATH.

The incidents connected with Miller's death, as related in court by an eye-witness, proved the crime to be one of those heartless murders that beggars all description.

Fleming, who was a near neighbor of Bradley's, was plowing in an out-of-the-way field, when he heard someone as if in distress piteously begging for mercy. Curiosity, as well as anxiety to relieve the distress, led Fleming to investigate the cause. He approached the scene near enough to see Bradley's son holding a horse, while his father was holding someone with one hand and trying to shoot with the other. The captive man piteously begged to be permitted to go home and see his wife, that he might tell her what to do, "'then,' said he, 'I will return and allow you to kill me if you wish.'" "No, said Bradley, your life is what I want, and you must die. You will never be permitted to see your wife again." Then calling to his son he said, "take this pistol and shoot him while I hold him." The son, then taking the weapon from the hand of his father, placed the muzzle of the pistol to the back of Miller's head and fired. Miller fell to the ground. The father, then again taking the pistol from the hands of his boy, fired four other shots into the head of the dying man.

Bradley had induced Miller to believe that he was



more than willing to go with him to Gallatin to make a bond for his having violating the Revenue laws. Miller had said to Bradley that he had a capias for him, but if he would promise to go to Gallatin and make a bond he would not arrest him, but take his word for it. To this Bradley readily assented, and expressed, not only a willingness to go, but was rather profuse in his commendations of Miller's generous and manly offer.

Bradley said: "I will go with you as far as the blacksmith's shop and show you a nearer way than around the road." Bradley then turned to his son and said: "Go to the house and bring the plows and we will go with Mr. Miller as far as the shop; tell your mother to put the plows in my saddlebags and bring all back with you." The above facts were brought out in court by a man who was at the time working for Bradley and heard the conversation.

Bradley shouldered his saddlebags and in company with his son, they left the main road about one hundred and fifty yards from where they started, turned into a blind path and followed that about one hundred yards into a thick underbrush when Bradley reached up and pulled Miller from his horse. It was at this moment that Fleming first discovered him in his attempts to shoot the marshal. After riddling the head with bullets the body was dragged into the underbrush and covered over with green bushes. He then hitched the horse near by and went back to the house.

After dark Bradley, knowing that Fleming was plowing in the field near the bloody scene, concluded, that perhaps Fleming might know something of what

had occurred, and determined to compel him to help bury the body. Bradley gathered his spade and shovel and in company with his sons went to Fleming's house, and told him that there was a man dead down in the woods, that he wanted him to go and help bury. To this, Fleming at first objected, but Bradley said to him in the presence of his wife, "you know my rule, and you had better go." This remark alarmed Mrs. Fleming, and she said to him, "you had better go." Bradley led the way to the bloody scene, and after some hesitation he gathered the body upon his shoulder, and as if carrying a hog he went some distance to the root of the tree where it was found by Spurrier, and buried it.

He then said to his son, "take the horse and carry him near Gallatin and turn him loose." The boy did as directed, but next morning the horse was found near the grave again feeding.

CHAPTER XV.

BRADLEY'S HISTORY.

In tracing back the history of John Bradley, we find in him a curious compound. He evidently had in him the predominating qualities which allied him to the ferocious beasts, and the baser passions had been cultivated in him from childhood by a desperate and ferocious father. The better part of his nature which allied him to the divine and pure of another world had been smothered up, and he seemed to be forgetful of all the good that had ever existed in his ancestors. In a word, Bradley's father before him had within him those beastly passions which had been taught his son; he had passions and appetites which clamored for blood. He had not only implanted this evil in his son but he had cultivated it from childhood, and when upon his dying bed these baser passions had so worn upon the old man's nature that he seemed not to be conscious of anything better. Notwithstanding John was his only son, he attempted to kill him, it is said, upon his dying bed. Only a few hours before his death, this old man had a large pistol brought into his room, and after seeing that it was in good order and a careful inspection of it he said to his paramour, "tell John to come in, I want to kill him before I die." Thus it may be seen that John Bradley did not have as fair a start in life as other men in more favorable surroundings. If

such passions be allowed to seize upon and smother our intellectual and moral faculties, it makes of man, once the image of the divine, a veritable fiend, which is illustrated by the criminal career of the father, son and grandson. If the blood of the infant at the breast be poisoned to start with, there is little hope for the future of the child of vicious parents.

The lawless conduct of many of those desperate characters engaged in making wildcat whiskey was the result of association. A pure and holy life in the midst of such influences seems to be almost a moral impossibility, yet sometimes such characters are brought in touch with God's people, and it often happens that the worst of criminals seemingly manifest a better nature hidden away deep down under the rubbish of a rough exterior.

The transforming power of the grace of God is limited only by the scene of life's probation.

CHAPTER XVI.

WOMEN RUNNING A DISTILLERY.

It was not every time Revenue officers started out on a raid that they knew what kind of material would be encountered. Hence a preparation was always necessary for the worst. Spurrier says, "on one occasion when ordered to Overton county to destroy an illicit distillery that had been reported, it was not known definitely who its owners were, or what kind of resistance would be made. Hence the premises were approached with a formidable force and with great caution. The distillery was located under a bluff, and hidden by brushes that were set up as a blind. The surroundings, to say the least of it, looked suspicious. When within easy reach of the place, we waited until daylight to make the attack, and when light enough to see, the order was given to the men to close in on the occupants of this suspicious looking harbor. But instead of finding a formidable force to oppose us, there were *two lone women*. One, a young and pretty lass of sixteen, sat upon a pile of wood knitting, the other one, an elderly lady with sleeves rolled up to her elbows was busy with the swill tubs, over which she had been laboring the entire night before. Imagine the chagrin of a formidable set of Revenue officers who had been watching and waiting through the still watches of a night, and almost spoiling for a fight, to find themselves con-

fronted with two lone, helpless women! The excuse of the elder woman was that this was her only resource from which to get a living for her children and invalid husband. When I was told that her husband was an invalid, and that this business was her only chance for meat and bread, my manhood was subdued. I turned to the men and said, 'boys we must look for something more formidable than this.' We then turned and left the poor woman with her swill tubs to make wildcat whiskey if she wished to do so."

Humphrey Pennington was one of those kind-hearted old men who had never realized that there was any harm in making wildcat whiskey, and was the father-in-law of the woman we had just encountered. He was also the father of the young lady that was knitting upon the woodpile. She had gone to keep company with Mrs. Pennington, Jr., while she plied her vocation through the weary watches of the night. The old gentleman was bound over, but tenderly and kindly dealt with.

The difficulties in making these arrests were of many kinds. A paragraph from a current newspaper gives one of the means adopted by the wildcats and moonshiners to put their friends and accomplices on guard:

"Deputy Internal Revenue Collector J. L. Spurrier returned yesterday from a moonshining trip to the mountains. He came back empty handed, a thing very rare for Spurrier.

"The moonshiners are getting mighty sharp,' he said. 'They found out I was in the mountains before I fully knew the fact myself. And the way they spread that interesting information would do credit to a long-distance telephone. The first man that heard of me blew a horn. I think he had a certain number of toots for my name. The horn could be heard about three miles, and everybody within hearing took up the alarm till the echoes were awakened by the sound of the horns. In an hour after the first blast people one hundred miles away knew that Spurrier was on a raid. I didn't get a dog's chance to seize a distillery.'"



ON THE ALERT.

CHAPTER XVII.

ARREST OF PATTERSON.

James Patterson, of Macon county, was not a bad man at heart, but he had contracted a mania for making wildcat whiskey, and he had become so depraved that he seemed to be reckless of life. It was not so much for the great profit there was in it, but he knew that it had been forbidden by law, and that there was an effort being made to suppress it by a set of Revenue officers that he had a hatred for. Patterson had become so desperate and depraved that he rather courted a difficulty with the Revenue officers, and wrote a letter to Spurrier in which he invited him to meet him in person, for no other purpose than to test their weapons upon each other.

Patterson had lived in the woods for some time, and was generally known as a desperate and determined man.

"I had learned," says Spurrier, "that he lived in the woods, but took his meals with his mother, who lived in a lonely log cabin at the foot of a large hollow. He had planted a small patch of tobacco in the hollow above the house, that he made a point to work at stated times—Mondays, Wednesdays and Saturdays. I secured the services of Henderson Young to go with me, and we went out into his neighborhood, determined to bring him in. We reached the house of his mother about 2 o'clock in the morning, and located his tobacco patch. We detailed our guide to watch

the tobacco patch, while Young and myself kept an eye upon the house. About 7 o'clock in the morning Patterson came in and entered the house of his mother, with his gun upon his shoulder, and his pistols which he carried with him. He had the appearance more of a bear than a human being about the head and face.



“He only remained in the house a short time. He came out with a lunch in his hand, which he sat upon a log in front of his mother’s door, and ate, with his gun upon his lap. When he had finished eating he arose and looked about as if he scented some one in the atmosphere. After scanning the situation, he went out to the tobacco patch to work. Young and myself having previously taken our positions, watched his movements for some time. He first picked up his hoe, and with

his gun in one hand and his hoe in the other, he worked for some little time. Young suggested that

we would have to fight him or attack him with his gun. I had gotten perhaps within ten feet of him before he discovered me. I found that he had left his gun a short distance behind him, and when ordered to throw up his hands he made a break for his gun. I struck him with my own gun, but only stunned him, when he arose to his knees and asked if that was Spurrier. My reply was that it was, and he was my prisoner. Young came up and we handcuffed him, carried him to the Carthage jail, and put him in jail with a desperate character, who had recently killed the sheriff of the county.

"The same night we put Patterson in jail a mob of citizens was raised to take the murderer of the sheriff from the jail, and when Patterson heard them coming his first thought was that his own friends were coming to release him. He shouted aloud and rushed to the door as the mob approached, but being met with a pistol pointing in his face, with orders to go back to his quarters, he was too glad to obey."

There were a great many cases against Patterson, but many of them were compromised, and after serving a short time in prison he returned home a wiser and better man, and afterwards made a useful citizen.

CHAPTER XVIII.

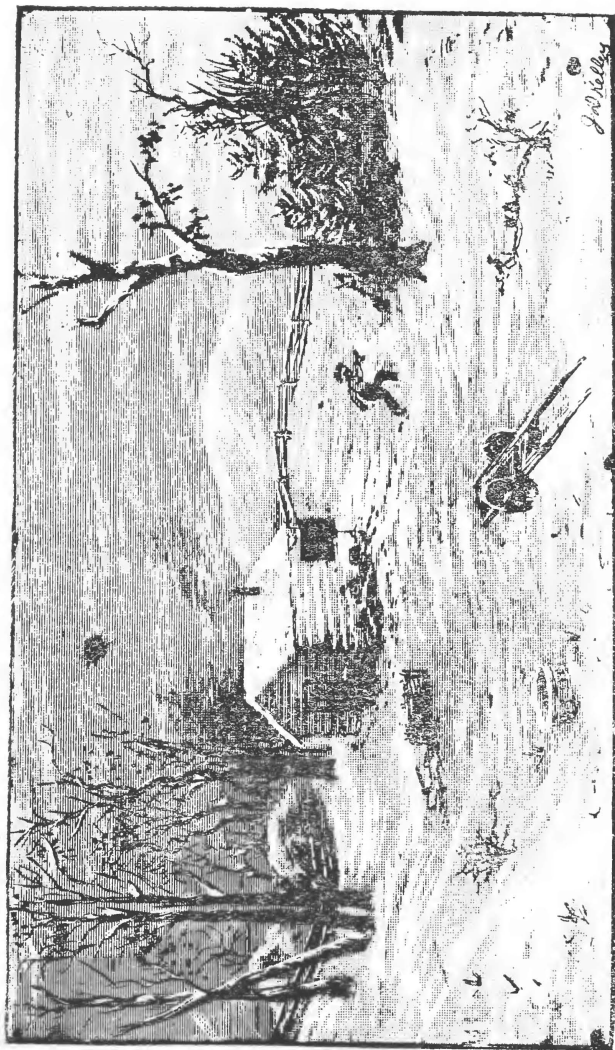
JOHN PADGET'S ESCAPE.

John Padget, like many others who lived in Fentress county, Tenn., though often reprov'd and admonish'd, continued the business of making wild-cat whiskey in the face of the United States authorities. It was not uncommon to find men like Padget who believed there was nothing morally wrong in making whiskey, if it could be done without encountering Revenue officers, who they believed to be men sent out in the interest of the larger distilleries. Hence men were often found in the business who were not bad men, but brave fellows, who, when put to the test, would fight to the death for what they believed to be their rights.

"Some time during the year 1879," says Spurrier, "McDonnold and myself were sent out to arrest this man Padget for violating the Revenue laws. We selected for the occasion a cold winter's night, when there was a light snow upon the ground, believing this to be a favorable opportunity to find him at home. In this we were not mistaken, but while we found him indoors we also found him ready for the occasion. He was armed and equipped, both himself and his wife, determined to resist to the death. We got to Padget's house in the morning about daylight. The house was a small cabin situated on a hillside. The lower side of the house was without underpinning, and the floor on that side was

about three feet from the ground, with only one door and a window on the opposite side, which was closed with a shutter, but without sash or glass.

"When I knocked at the door and told Padget who I was and what my business was, he sprang for his gun, and his wife gathered an ax preparatory to a fight, and that too without further ceremonies. When I ordered the door opened, Padget deliberately informed me that if I attempted to come in he would kill me. Said he, 'I have nothing personal against you, but you must not attempt to force an entrance into my house.' I then said to him that I would wait until daylight, but my purpose was to come in if he did not open the door. 'Then,' said he, 'you had better prepare to die, for I will not submit to an arrest.' He then addressed his wife, and said to her: 'Let us get out some potatoes and have breakfast.' He then raised some loose planks, as if he intended going under the house for the potatoes. This was to throw me off my guard, for I readily suspected his purpose was to make his escape from the house in that direction, as the floor was some distance from the ground. I was mistaken in this, for as I ran around the house to head him off he took advantage of the occasion, sprang out of the window I had been guarding, and, barefooted and with his pistol in his hand, he ran about 300 yards and stopped in a tree top that had been cut during the summer months when in full leaf. The leaves still clinging to the branches afforded a temporary hiding place. He had stopped, doubtless, in the tree-top for the purpose of defending himself. He only remained there a short time, when he made a break for the mountain. I had in the



meantime advanced near enough to speak to him, and said, 'Padget, you must stop, or I shall be compelled to hurt you.' He then turned, and facing me said, 'Spurrier, I have before told you that I have nothing against you, and do not want to hurt you, but if you attempt to shoot and do not kill me, I shall then kill you if I can.' Knowing the character of the man with whom I was dealing, and believing as I did, that he could shoot out a squirrel's eye at a respectful distance, I concluded that discretion was the better part of valor, and said to him, 'Go thy way for this time, at a more convenient season I will call for thee.'

"Shortly after the occurrence above related I went back alone, determined to capture Padget if possible. But before I could reach the house he discovered me, gathered his gun and made his escape. He ran across a small ridge or mountain and secreted himself for the sole purpose, as he said to friends afterward, of shooting me as I passed. Padget was not a coward, but like all brave, daring fellows when put to the test he could not have the heart to shoot or ambush a helpless man. After taking his position behind a log, and with both barrels of his gun cocked, he concluded that it was cowardly to shoot. He then dropped his gun, went back to his house, and said to his wife and friends that he could not stay in the neighborhood without trouble, and rather than submit to an arrest he would leave the country, which he did. Thus ended the trouble with John Padget, who proved to be not only a man of true grit, but with traits of character worthy of a better cause than making wildcat whiskey."



CHAPTER XIX.

DICK SKINNER'S ARREST.

Richard Skinner lived alone in a small log cabin, situated on the side of a mountain. This cabin had but one door, and was easily approached. Skinner, like many other moonshiners, had grown indifferent to the outside world, and seemed only to care for the small pittance of revenue gathered from his wildcat distillery. He, perhaps, like others, had brooded over the fact that government officials were interfering with the rights of the people until he, too, had become desperate and defiant.

It was well known in his neighborhood that he had prepared himself for defense, should the Revenue officers attempt an arrest. He had been very bold to assert that he was ready to meet any emergency. This fact rendered it necessary that some precaution should be observed in approaching his premises.

"With one other man," says Spurrier, "I went to his house about day-light in the morning. I found the door stood partly open, and he was sitting before the fire, tying his shoes. This, thought I, was my best chance; and, after locating his gun (which sat not far away), I sprang into the cabin, seized his gun, and ordered him to surrender. He turned upon me deliberately, and, with a scowl upon his face, remarked: 'Sir, it was well you caught me tying my shoes; otherwise, I would have made it lively for

you ; as it is there is nothing left me but to surrender, since you have all the advantage.'”

Skinner was taken before the federal court, convicted and sent to prison ; but after serving out his time he returned home and lived quite a different and a more useful life. Strange as it may seem, such imprisonments did not have the effect upon these brave, daring fellows that one would imagine ; for almost invariably, when brought in contact with other surroundings, these brave, daring fellows have made reformations in their life and conduct. When broken up from making wildcat whiskey, for a time they seem to forget the old haunts and habits of the moonshiner, and realize that there is something more to live for. Therefore many of them, like Richard Skinner, returned home to make better and more useful citizens.

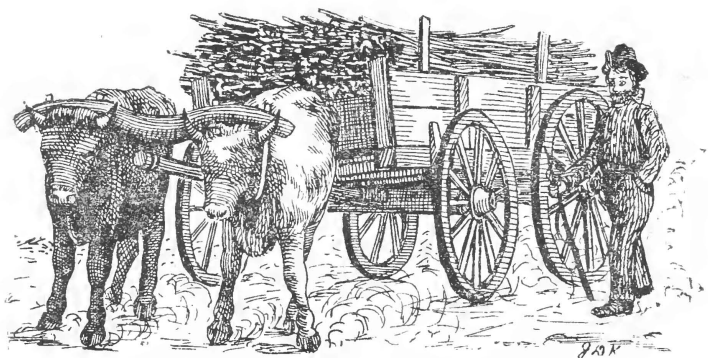
CHAPTER XX.

FLEM BEATY.

In writing up the incidents connected with the moonshine raiders, and the bringing to justice these desperate characters, we are constantly reminded of the fact that a large majority of these men were the sons of brave, daring men; but, nevertheless, they had ungodly fathers and mothers, who had set bad examples before their children.

Captain Spurrier says: "Some time in the year 1878, I was sent out to arrest and bring in Flem Beaty, a son of Tinker Dave Beaty. Tinker Dave was familiarly known far and wide as a Federal bushwhacker during the late war, and woe be to the rebel who chanced to fall into his clutches. Flem, the son, was a 'chip off the old block,' except that the father claimed to be upholding the laws of the Federal Government, while Flem's operations were in direct opposition, or a direct violation of those laws. When Flem learned that I was in the neighborhood, and that my purpose was to arrest him, he gathered about him his comrades, with no other purpose than to either back me down or kill me.

"I came upon him and his crowd at a country store, in the vicinity of which he and his friends lived. I soon took in the situation, and readily recognized the fact that his comrades were raw recruits, and would be easily stampeded. I said to Brading, my



SMUGGLING WILDCAT WHISKEY TO MARKET.

comrade, that if he did not wish to go into the fight he could retire, but my purpose was to arrest Beaty. 'Notwithstanding the unfavorable and threatening attitude of affairs,' said Brading, 'I will stand by you in any emergency. Go forward, and you will find me not the man to leave or desert you at such a critical moment.'

"Beaty very soon, with his weapons buckled about his waist, approached in rather a threatening manner, and attempted to brush against me, that he might provoke and bring on an attack. I shied away from him, and determined to wait a more favorable opportunity to stampede his crowd. Beaty, believing that I would not attempt his arrest with such a crowd about him, rather carelessly turned from me as he passed; and as he did so I seized him by the collar, and, with my pistol pointing directly at him, I ordered him to throw up his hands. As Brading came rushing forward with a pistol in each hand, and Beaty was being disarmed, his crowd, as I expected, stampeded, and broke in all directions; and, in their eagerness to get off, not less than a dozen panels of fence were thrown down. Beaty was completely taken back, and with a crest-fallen countenance he surrendered, and was conducted before the authorities to answer for his misdeeds."

CHAPTER XXI.

CAMPBELL MORGAN.

Morgan was a native of Tennessee, and the son of a Presbyterian preacher. In early life he developed a fondness for adventure. With that wild recklessness which so often fascinates the young men who aspire to a life of adventure, young Morgan passed from under the tutorage of a loving mother out into the dangers of a roaming, reckless life. Unlike the desperate murderer, who would recklessly take the life of his fellow man, young Morgan had the noble principles of manhood impressed upon him by the training of pious parents, who had implanted the nobler qualities which lay as if under the rubbish of a rough exterior, that only wanted bringing to light to show his ancestry to be of noble blood.

Morgan, in his younger days, spent much of his time in fishing, hunting, and in other wild sports. When the late war broke out, he gathered about him some of the associates of his earlier days, and engaged in a promiscuous warfare upon those whom he believed to be the enemies of his country. He engaged in bush-whacking the bush-whackers of the Federal army, many of whom infested the Cumberland mountains at that time, and especially the wild regions about Morgan's home. Among the bush-whackers were Tinker Dave Beaty, Col. Cliff, and others. Morgan managed to elude the Federal authorities,



CAMPBELL MORGAN.

and when the war closed he found himself, like many others, in a desperate strait. When it is remembered that a confederate had but a slim chance for life in that region, it is not to be wondered at that Morgan should be fired up and moved with the old animosity which prompted him in other days. Peace being established, his antagonism towards his old enemies caused him to defy the authorities, and erect a distillery in a conspicuous place, regardless of consequences; and there he proposed to defend it.

Morgan was a bold, daring fellow—fearless and desperate; hence, he became the head-centre of moonshiners in his vicinity; and so noted was he for his daring and bravery, that Revenue officers were exceedingly slow to encounter him. It was on this account he for years cut quite a figure in the wildcat regions of Tennessee, Kentucky, and Alabama. In one sense Morgan was high-minded, high-toned, and gentlemanly, and for a long time he believed he was only acting in self-defense when he undertook to repel the Revenue officers. He believed for quite awhile that these raiders were sent out by individuals who were manufacturing upon a large scale, under the protection of some sort of class legislation.

Here his distillery was found, erected in a conspicuous place, with port-holes from which he could shoot if attacked by the Revenue officers.

Morgan had organized the neighborhood, and sent word to Davis, the noted Revenue officer, that he was ready for him. Davis took eleven men with him, and as he approached the distillery it was evident Morgan was taken by surprise, since none of his men were with him. Notwithstanding this precari-

ous condition, Morgan determined to make a desperate resistance himself. When he first discovered the Davis party, he rushed behind his fortifications, and forewarned them not to come near. He barricaded the door, and opened fire upon the party, which sheltered themselves as best they could behind the trees and other places of safety. As the party continued to fire upon Morgan, he poured forth his volleys one after another from the port holes of his distillery until the Davis party retired, leaving him master of the situation, but with two serious wounds.

It was some time before Morgan could realize the enormity of his crime; but, still believing that he was able to maintain his position, he set about organizing the whole county and neighborhood for miles around. The result of this organization was a desperate fight with Davis, the noted Revenue officer, in which several more were wounded. This condition of affairs becoming serious to the more thinking class of people in Fentress county, a party was sent out from Livingston, the county-seat, to see if something could not be done to bring about an honorable peace. After several ineffectual efforts to bring about a reconciliation, the delegation finally went to Morgan, who stated to them that he had heard that Captain Davis intended killing him (Morgan) on sight, and that he had organized this force only in self-defense. He said he knew that Davis was a man of courage, and would not hesitate to kill any man in order to carry his point. Morgan then said that if the government had a warrant to serve on him, and would put it into the hands of some one besides Davis, he would promptly give himself up, and would do all in

his power to correct the evil ways of his neighbors. Besides, he would promise this should be his last resistance to United States authorities. Morgan's proposition was acceded to, and like a true soldier he came to Nashville; and when his case was called in the Federal court, he arose and formally surrendered himself to the court, to the astonishment of the bystanders. Morgan had written a letter to the Commissioner, in which he set forth his grievances, and the answer came back as follows:

TREASURER'S DEPARTMENT,
OFFICE OF INTERNAL REVENUE, WASHINGTON, D. C., }
November 8, 1878.

Campbell Morgan, Esq., Gainsboro, Tennessee:

SIR:—I am in receipt of the letter in which you give an account of the difficulties between yourself and the Revenue officers, at the time of the seizure of your distillery.

I must compliment you upon the ingenuity displayed in presenting yourself as an unoffending citizen, peaceably pursuing his avocations, and the officers of the United States as violators of the law.

It is obvious from your own admissions that the Internal Revenue officers would not have visited your premises, if you had not been engaged in violating the laws of the United States and defrauding its revenues. By your acts your distillery had become forfeited to the Government, and you had subjected yourself to the penalties of fine and imprisonment. Under these circumstances the officers were entirely justified in entering your premises. I understand from some of the officers that you forced the difficulty, and that you acted in self-defense in the use of fire-arms.

To me it is a matter of regret that it becomes necessary, in the enforcement of the laws of the United States, that its officers should be compelled to go ready to defend themselves against assault and to meet force with force. In this free country of ours every citizen should have such a love of the Government and its laws as to cheerfully give obedience

to their provisions, and not be found engaged in defrauding it of its revenues, or forcibly resisting with fire-arms the officers engaged in the enforcement of its laws.

You say you did not intend to violate the spirit of the law, and that you challenge an investigation of your character for truth, honesty, sobriety, industry, and peace.

I leave it to your sense of right whether a man can be honest who defrauds the Government of its revenue, and then attempts to resist the enforcement of the law.

I am glad you have determined to abandon the business, but am not yet advised of any reasons for a pardon in your case.

Morgan subsequently, as already stated, made his appearance in court voluntarily, and was pardoned for many of his offenses, and made a good Revenue officer himself.

Morgan was elected sheriff of Jackson county, served six years, and to-day is popular with his people.

CHAPTER XXII.

GEORGE'S MISTAKE.

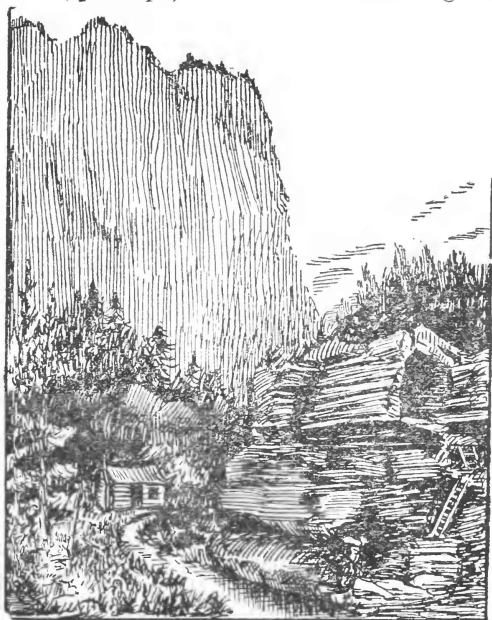
Many thoughtless young men make mistakes in life, and allow themselves to be allured from the path of rectitude, although they have had the training of a good mother or an indulgent father. Such persons go out into the world and look around for an easy place to make money; and, while casting about for something to turn up, they drop into a speculative mood, and reason themselves into the belief that making whiskey or selling it is not so bad, if one does not allow himself to use it to excess.

Thus it is many worthy young men allow themselves to smother conscience, and embark in a business that is known to be demoralizing, without considering the evil results. At other times this same young man's meditations lead him to remember with peculiar interest the dear old home and its inmates, with all the surroundings. He remembers the dear old mother who taught him in early childhood to say, "Now I lay me down to sleep;" and then the memory of the old sugar maples, under which he romped in childhood's sunny hours, brings back the days of innocence and peace, when life was a pleasant scene, and his heart was as light and joyous as a bird.

But now, in the stillness of night, when all is quiet, he listens, perhaps, with tearful eyes and throbbing heart, for the voice of that dear old mother, who first

taught him of God and the angels. And yet, when he rises from his reverie, he goes out to smother his conscience with a resolve to quit the wretched business, when he makes money enough to engage in some more honorable avocation.

This was, perhaps, the kind of reasoning adopted



GEORGE'S DISTILLERY.

by George ———, who lived in the vicinity of Sharkie Island, Sumner county, Tennessee.

George little dreamed when he first laid his plans for wildcatting that his hopes and anticipations should so soon come to an end, and he landed in prison. But so it was. Soon after starting his wild-cat business it was reported to the authorities, and a

posse of men detailed to look into the matter and bring to justice the offender.

The officers were soon in possession of the facts which led them to a small distillery nestled, as usual, away back in the bushes at the head of a ravine. George had recently married, and settled down. His wife, who was in full sympathy with all his movements, was located in a cozy little cottage some distance from the distillery, and to all appearances his affairs seemed to be running as smoothly as could be wished. The officers came upon him, however, at a time when he was not expecting any trouble. They destroyed the distillery and went to the house, but George was nowhere to be found. His wife was communicative enough on all other topics, but refused to talk about George or his whereabouts.

After a long and fruitless search for George, some one suggested that a parting shot be fired up the chimney. This had the effect to reveal George's hiding place, and was too much for the little woman. An armistice was quickly agreed upon, and George crept from his hiding place covered over with soot and dirt. When George's wife was told that he would have to go to jail, she emphatically declared she would go with him, and share his prison life, since she was as much to blame as he. And to prison she went, and remained during his incarceration.

This little episode in George's history cured him and his wife of wildcatting; and now, as he sits and meditates upon the fond recollections of a childhood's life, and narrates the events through which he has passed to his children, he is careful not to refer to his experience in making wildcat whiskey.

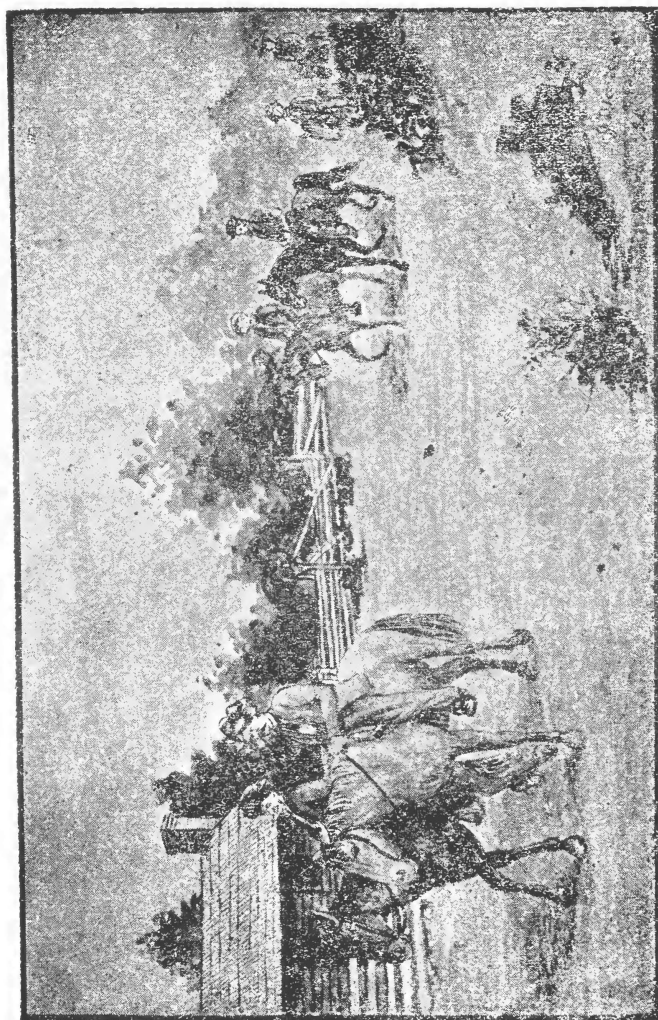
CHAPTER XXIII.

N. B. NORTON'S HARD LUCK—THE PEOPLE BLOW HORNS AND THE DOGS HOWL—THE NEWS THAT SPURRIER IS COMING.

Spurrier relates a rich experience with N. B. Norton, of Maine, the United States general inspector. He says he was expecting to make a big haul upon some wildcat distilleries that had been reported near Salina, but he came back almost empty handed.

"N. B. Norton was anxious to go with our party on one of our raids," says Spurrier, "that he might get a more correct idea of what moonshining was. But the moonshiners were getting mighty sharp, and my trip was spoiled on account of Norton's inexperience in horseback riding. The moonshiners found out I was in the mountains before I realized it fully myself, and while I was giving Norton lessons in horseback riding through the bushes, the information was being heralded from mountain to mountain, by the blowing of horns and howling of dogs, that Spurrier was on a raid. The first horn could be heard for miles around, while the old dog would set back upon his hunkers and howl it to the rest of the dogs; and thus the toot of the horns and howling of dogs gave warning for one hundred miles away that Spurrier was coming.

"Henderson Young, Tinsley, Brown and myself had agreed to go with Norton into the mountains, that he might see for himself what wildcat distilleries were.



While we were at Cookville, I was notified of some distilleries that had not been previously reported. We secured horses at Salina and started out, but had proceeded only a short distance when I was notified that Norton was making poor headway, and was falling behind. I went back, and soon found that he was unused to riding a horse, and held the reins one in each hand, while he was vigorously kicking with both feet to make his horse move up. He had as yet not realized that he was in the mountains, and, with a set of men that could go anywhere and at any gait that the emergency demanded, he soon found that his hat was not suited for the occasion; and when told to hold the bridle with one hand, and apply the switch with the other, he was unable to fully take in the situation, and could not see how he was to hold a switch in one hand, the bridle in the other, and take care of his hat. He was also unaware of what might occur if he struck the horse too hard; hence, he soon found himself going over a bluff in one direction, and his hat going in another. This called for a halt, but it was only for a short while. He was soon righted up again, with but little damage to him or his hat. We again started out on a rough mountain road through the bushes, which were entirely too low for our hero's hat. From time to time we were compelled to stop and grope about in the dark for his hat, and right him up on his horse. The horse finally ran under a thorn tree, and his hat was dragged off this time where we were unable to find it. We searched around in the dark for sometime, but finally agreed to go on without it; the hat was afterwards found up in the thorn tree by other parties.

"Our hero proved himself equal to the occasion, and, notwithstanding his hard luck, he made but little complaint. While resting next morning he stated to Brown that his great fear was that his family would not be able to recognize him when he got back home. He said his eyes and face had been so scratched and scarred up that he would scarcely be able to recognize himself. We again started out for a hot summer day's ride, without any covering for his bald head, save a pocket handkerchief. This, I thought, would be too severe for a man of his habits, and I suggested that we call a halt, and contrive some better covering for his head. We gathered some large pawpaw leaves, and made a hat that was the wonder of all who saw it. We passed a field not far ahead, where there were two of those wild, rough wags plowing; and as we passed one of them yelled out to know of him if the nit-flies were troubling him? 'Naw!' said he. Then turning to me, he said: 'What does he mean by nit-flies?' An explanation was given, while we had a hearty laugh at his expense. We then pushed ahead, and soon rode into the town of Salina, where this wonderful hat created such a sensation that many thought we had captured the daddy of the moonshiners.

"Our hero got back little the worse for wear, but satisfied with his experience among the moonshiners. Said he, 'I thought I was tough, but it takes something tougher to make a moonshine raider. I do not believe I shall be able to sit down again in a week; and, besides, if my family should see me in my present condition, with my face and eyes all scratched and bunged up, it would be hard to make them be-

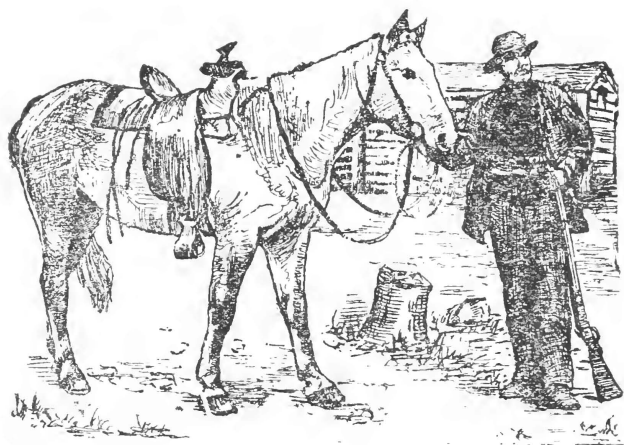
lieve that I had not been drunk on wildcat whiskey, and been fighting moonshiners promiscuously. I have had many aches and pains in life which have long since been forgotten, but this mountain trip I shall never forget. Home again! home from the wild woods and jaunts where wildcats and moonshiners have secret haunts! But I shall not for riches, neither money nor price, beat back mountain bushes for another such ride.' ”

CHAPTER XXIV.

ARREST OF DICK ROY.

Dick Roy was a typical moonshiner, and had married a woman in full sympathy with all his movements. She was not only in sympathy with Dick, but with all she held Dick to a strict account for his misdeeds. Mrs. Roy was a decided character, and when she said for Dick to do a thing Dick knew better than not to do it. Perhaps it would not be fair to say that he was a coward; and yet he had learned to move promptly when Mrs. Roy said move. In other words Dick was hacked, and could not fight much, if he had been disposed, without Mrs. Roy to take the lead. And when his distillery was destroyed, he took to the bushes and eluded the officers for some time. This perhaps would not have been the case, if it had been Mrs. Roy instead of Dick, for she was game to the backbone.

"So it was, the distillery was destroyed, and Dick was hiding out," says Spurrier, "when Henderson Young, Tinsley, and myself, were sent out to look him up. We were all on the lookout for him, when I chanced to run on him in a thicket of underbush. He was a stranger to me, but the circumstances under which I met him led me to believe I had struck the right man. I inquired of him his name; but of course he gave me a fictitious one. I insisted that he go with me to where Young and Tinsley were,



knowing that Young was well acquainted with him. Young readily recognized him as the man, and Dick owned he was the man we were after. 'But,' said he, 'the roads are muddy, and I do not want to walk, if you will allow me to get my horse, which is not far off.' Young was detailed to get his horse, while the rest of the party went to the house for his saddle. Mrs. Roy was notified, and requested to send the saddle out to the fence. She came out herself, and demanded of Dick to know what was up. When notified of the situation, and told that he had been arrested for violating the Revenue laws, she said to him: 'Come over that fence, sir, and defend yourself like a man; you cowardly puppy!' But when reassured that he was under arrest, and must go to jail, she turned loose her bitter invectives, and without stint she gave me what some would call a sound cursing. I could only laugh, or grin in such a manner as to make myself appear ridiculous in the eyes of my comrades; and, in order to get a rest, I said to her: 'Madame, hold up in this matter until Mr. Young comes. He is the cause of all this trouble, and is now after the horse.' This, for a short time, quelled the storm, and I then said to her, if she would say to Mr. Young what she had said to me I would treat her to a dress. This had only the effect to make her worse, and as Young came up with the horse she turned loose with renewed energy upon him. She accused him of stealing the horse, as well as her husband. She said: 'We have a lot of children at the house; it may be that you can use them in your business.' This tirade of abuse somewhat surprised Young, who was unprepared for it; and he,

too, took the dry grins, which very much relieved my own situation. Said Young: 'What does all this mean? did any one ever see such a woman?' I laughed heartily and enjoyed the joke, since some one else was sharing her abuse.'

CHAPTER XXV.

MORGAN ORGANIZING HIS FORCE.

It was in the earlier days of making wildcat whiskey that a pandemonium reigned in Fentress and adjoining counties. It was when Campbell Morgan conceived the idea of organizing a force to resist the Revenue officers, or, as he then said, to whip and drive out intruders upon their rights.

Dr. McColgan, a prominent physician, of Arcot, Clay county, was consulted about the matter; and perhaps the result of the doctor's counsels would have saved much trouble, and would have been better for all parties if it had been heeded. But so it was the forces were organized; and, while many sympathized with the movement, there were others who knew it to be wrong; and many, like Dr. McColgan, thought it bad policy to undertake to resist the officers of the Revenue service.

Dr. McColgan, on the occasion referred to, was on a professional visit to the neighborhood, and while at the house of John Williams was made aware of the fact that John Williams, though not a moonshiner himself, was in full sympathy with the mountaineers, and both he and his boys had agreed to join Morgan's forces. The doctor was made aware of the situation by the mother, who felt an anxiety for her boys.

John Williams had allowed his sympathies to go too far, and he had promised Morgan, not only his

own services, but that of his boys, in the event of a fight. Williams and his boys were rubbing up their guns to join the forces, when the old lady spoke and said to the old man: "I must tell the doctor what is going on, and it may be that he could suggest to you what would be best to do in this matter." "No," said the old man, "attend to your own business." The old lady felt an anxiety for the boys, and finally said to the doctor that Campbell Morgan had been there that day, and had just left. Said she: "He told the old man and the boys that he had three hundred men enlisted to resist these Revenue officers when they come into the neighborhood again; and," said she, "my old man and the boys are rubbing up their guns to join him; and, now, doctor, I want you to advise as to what would be best." "Then," said the doctor, "since you ask my advice in the matter, I have only this to say to John and the boys: If all the talent of the South, with such Generals as Lee, Jackson, Forest, and others failed to whip the United States, after a four years' struggle, then I am unable to see how Campbell Morgan can do it with three hundred men." "No, John," continued the doctor, "you are aware of the fact that we everlastingly got licked, after fighting four years; and, while I would not disparage Morgan in his movements, I have this to say to you and the boys—my belief is that he will get some of you in the penitentiary, and he will be compelled to skip the country, and leave you with the bag to hold."

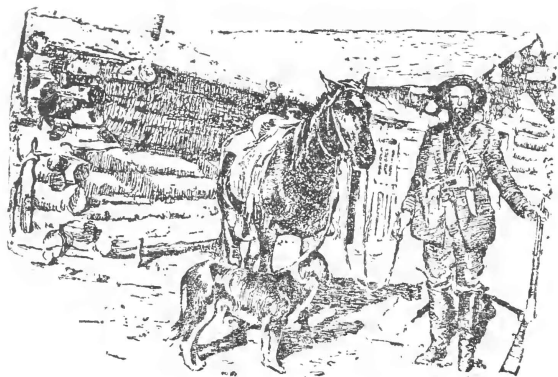
This put Williams to thinking more seriously than he had before done, and when the doctor was through, he said to the boys: "Your mother and the doctor

have more sense than we have. Put up your guns, and get your hoes, and let us go to the cornfield and hoe over the corn." Morgan was highly incensed when he heard of the interference with his plans; but it was not long until his entire force was suing for pardon, and Morgan himself surrendered, as has been stated.

CHAPTER XXVI.

THE YOUNG COMMISSIONER.

Shortly after these uprisings had been suppressed, and the greatest dangers had passed, a young commissioner who was then in the service, fired up with adventure, took it into his head to do something to immortalize himself as a Revenue officer. Having secured the necessary papers for the arrest of certain parties, who were known to have violated the Revenue laws, he took passage upon one of the up-Cumberland steamers for Celina. While on his way he was overheard to say to a young lady, with whom he had become infatuated, that he was going to Celina, and from there to the country to arrest a desperado whose name was Whitehead. This man was known as a wildcatter, but was noted for his quiet, inoffensive disposition, without courage and quite ignorant as to outside matters. The young commissioner referred to was overheard by Jo. McMillan, a brother of the congressman. He being of a mischievous turn of mind, telephoned to his brother John that this young dapper was on the boat, and had been overheard to say that he was coming for Whitehead, whom he had represented as a very desperate character. "Now," said Jo. to his brother, "drum up a crowd to meet the boat, and let us test the young man's courage by circulating that the Whiteheads have gathered in force, with a determined purpose of hanging the



young commissioner as soon as the boat lands." The report was soon circulated, and without further parley the young man locked his door, leaving an admonition with the captain not to let it be known that he was aboard. He returned with the boat to Nashville, fully convinced in his own mind that he did not want Whitehead.

The young man learned of the trick very soon, and returned to Celina with fresh courage—not for Whitehead, but for a Baptist preacher whose name was Akin. Mose Akin, as he was familiarly called, was not only a Baptist preacher, but had made himself notorious as a moonshiner. Akin was a prodigy, and wielded an influence with those people which was wonderful. His ability as a revivalist was said to be unequaled by any man in that region. His fame had spread far and wide; and, to say nothing of him as a moonshiner, he had a powerful influence with the people in all the surrounding country. He was a man of ability before the courts, and invariably plead his own cause, not infrequently making both judge and jury shed tears; and, when through with his speech, would close by telling all around him that he had a wagon load of whiskey for sale. On one occasion when Judge Cullom, the able mountain statesman, was prosecuting Akin for violating the Revenue laws, Akin brought down the house in his opposing speech by an illustration, in which he said if Cullom had a soul, which he very much doubted, that soul would find as much latitude in the seed of a mustard as a bullfrog would in the Atlantic Ocean. Akin was a very large man, weighing over two hun-

dred and seventy-five pounds, and when the young commissioner approached him and made known his business, Mose was ready for the occasion, and said to him, as he spread himself upon the floor: "My son, I never resist the law; and if you have come for me, here I am, take me along. I cannot afford to walk, and you will have to carry me, but I rather think you will have to have help. The young man was rather set back at first, but, rallying again, he went out to get a wagon and summons help to put him in it; but in this he was again disappointed, since not a man in the neighborhood could be found that would help to put the preacher in the wagon. The young man again returned to the house, and proposed to take Mose's bond. "No," says Mose, "I never give my bond for anything, and if you cannot carry me yourself, or get any one to help you, I suppose you will have to go as you came, without me." But, to relieve the young man's mind, Mose finally said to him his word was as good as his bond, and he could only give him his word that he would meet him at court and answer charges.

CHAPTER XXVII.

LICKSKILLET.

Lickskillet was a nickname given to William Armes, a man who had been reared under the tutorage of a father who, perhaps, had known but little himself of the ways of the world outside of making wildcat whiskey. This knowledge he imparted to his boy, with but little else. The father of Lickskillet lived in that part of the country where distilleries were very common before the war; and perhaps Lickskillet, his son, had never been trained to do anything better than make whiskey. At any rate, Lickskillet had acquired a mania for the business, and, in order to carry out his plans, he found it necessary to resort to the hidden places in the mountains, where he imagined himself safe from Revenue officers. It was, perhaps, on account of his debauched and scant way of living that he had been dubbed Lickskillet. As a wildcatter, Lickskillet was first found in a cave which had an entrance from each side of a small mountain. This cave was large enough from either side to allow a man to stand and walk erect. Near the center of this cave was a pure spring of water. It was about this spring he established his distillery and operated for some time. It was in this cave that he was first detected and routed by Captain Phillips, S. D. Mather and others. In attempting to rout him from this place, two men were seen to run out of the

cave, and were arrested. They claimed, however, only to be there for the purpose of getting their jugs filled with whiskey. "But," said they, "Lickskillet, the owner of the distillery, is in there somewhere yet." The officers, after an ineffectual search, attempted to smoke him out, as they would a rabbit from his burrow. But this would not do, for Lickskillet had learned that smoke would not settle near the surface or bottom of a cave like that; and, taking advantage of this fact, he laid low in one of the recesses of his rocky den, and the result was he escaped the officers for the time being. He was compelled to remove his quarters, however, to other parts.

Previous to this escapade in the history of Lickskillet, he had induced the daughter of —————, a well-to-do farmer of Fentress County, to run away with and marry him. His wife soon learned to live, as he did, in the woods under rock cliffs, or in the caves of the mountains, with no other shelter than the overhanging rocks or cliffs of the mountains. Their bedding was of leaves and such other material as he could gather up in the woods. It may be truly said of Lickskillet that he held a low place in the scale of humanity, and yet this woman was willing to share with him a home with wildcats, away from human habitations or civilized people. "It was under one of these rocky bluffs," says Captain Spurrier, "that I found him, he having lived in just such places for six years, with a wife who had borne him two children during the time. When found, the children dodged behind the rocks like little partridges, or wild pigs. Around his habitation or lodgings could be seen chicken feathers, coon and squirrel skins, with



horns and other signs which indicated his having fed and supplied his family as the fox and the wildcat would have supplied their young. It was under this rock he made his wildcat whiskey, and when arrested both he and his family were almost naked; a few shreds of clothing hung about the waist of the mother, but her breasts and lower extremities were exposed.

"When we carried him to Livingston, he created quite a sensation on account of his peculiar dress and other eccentricities. We promised the wife we would send back for her and the children. An old gentleman and his good lady, whose name was Howard, consented to go, and at my expense procure clothing sufficient to make them presentable to civilized people before bringing them from this wildcat den."

When Licksillet was placed in jail he was like a caged lion, pacing back and forth in his cell from day to day, partly on account of his close confinement, and perhaps on account of a remorse of conscience, when he thought of the way he had treated the wife and children who were left behind in a wildcat den. He was not without feelings of tenderness for those he had left, and when he remembered that he had so degraded the woman he had stolen from a happy home, it is not to be wondered at that he should pace his cell like a caged wild beast. His reflections could but constantly bring before his mind the fact that his wife and children were left in the cleft of a rock to face bitter storms and raging tempests, or the disappointment they would meet in a cold and heartless world which had long since forgotten or ceased to care for him or his family. It is not

strange that he would pace the floor in misery, and even want to die. When old brother Balam Stephens visited him in person to counsel with him with reference to his spiritual welfare, and was endeavoring to point him to a more hopeful condition in life, Lickskillet said to the old man, that he wanted him to tell Captain Spurrier to come and see him, "and," said he, "tell Spurrier to bring his pistols with him. I want him to come prepared to kill me, for I do not want to live in this condition."

Spurrier's humanity prompted him to go and visit his prisoner, carrying with him his weapons as he had requested; and, to test Lickskillet, said to him as he went into his cell, "I have come to carry out your request, and now you must make preparation for the great event which is about to be consummated."

"Lickskillet was not prepared for a prompt answer to his summons, and said to Spurrier, 'We will wait a few days longer.' In the meantime a desperate character had been put in jail with Lickskillet, who broke jail a few nights after the above occurrence, and Lickskillet was liberated. He disappeared, and was lost sight of for almost a score of years, and it was not until very recently I was ever able to locate him and his family. While on a visit to Lafayette, some time during the past season, I was approached by an individual who accosted me by saying, 'Have you forgotten Lickskillet, the wildcatter?' He was rather well dressed, and presented the appearance of one who was well to do in the world. I said to him that I well remembered Lickskillet, but could not recognize the man before me as that individual. This man's operations as a wildcat distiller was on too small a scale

to cheat or defraud the government out of much money; and his operations, perhaps, would not have been taken into account had it not been that Lick-skillet himself had become to be a bad man otherwise. In addition to other bad traits, he would depredate upon the chicken roosts of the surrounding country. His worldly possessions, at the time of his arrest, consisted of a wife, two children, a dog, gun and a large pot in which he boiled his swill, arranged in such a crude manner that to describe it would be almost an impossibility. His general appearance when arrested would also be hard to describe. He was of rather low stature, medium size. His clothing was very scant, consisting only of a well worn pair of pants, faded and frazzled off almost to the knees. He had no coat, wore strips of cloth for suspenders, went barefooted, a long shaggy head of hair, with scant beard scattered over his face. He wore a loose skin cap made from the skin of the animal without dressing."

His process for making whiskey was evidently different from a majority of wildcatters, since it was made by boiling in a pot his mash in a way that we have not been able to learn. He not only made it differently, but disposed of it by peddling it out for meal, ammunition, or some other commodity necessary for family supplies. When he exchanged for meal he would take it upon his back, carry it to his den, and make another jug of whiskey to be disposed of in a similar manner. This singular individual had not only become a monomaniac upon the subject of making whiskey, but had determined to live like a wildcat himself. He kept his family hidden away from civilization until broken up and put in jail,

when we lost sight of him, until, as we before stated, we met him at Lafayette. He had been cut loose from the evil associations which had characterized his younger days, and new shoots had shot forth from the roots of the immoral past, and new branches had been sent out from the old trunk. In this new life he did not feel fettered, but, after being let out of jail, Lickskillet felt that there was something better to live for, and that there was a new and a better sphere in which he could move and act. Perhaps old Brother Stephens' talk in the jail had waked him up; and, when brought face to face with Christian people in his daily associations, was soon taught how to think of something better than making wildcat whiskey. As soon as the defects of his mental eyesight had been recognized, his mind flashed out into a new world of thought, experience and knowledge. The faculties of his natural vision lay hidden away, and only needed to be brought in contact with other surroundings to show the better part of his nature. "After the usual salutations," says Spurrier, "he insisted on my going to see his family. Said he: 'I have quit my meanness and joined the church; but this is the man you put in jail at Livingston years ago. It is not Lickskillet now; it is Mr. Bill Armes, who lives in peace and plenty, with a happy family to enjoy it with me. And I want to say to you that the little episode in my history which connects me with the incidents of early life made a man of me, and my experience in jail saved my wife and children.'

"At his earnest solicitation I was induced to go home with him to see his family. I found his two children had grown up to manhood and womanhood,

and it was difficult for me to realize that before me stood the once poor, dejected, half-starved and almost naked little woman, neatly clad, with a young lady by her side, who well remembered the day when the motherly old dame came with clothing to carry her out of the den in which she and her little brother had been born. The young man could not or did not care to remember this dark spot in the history of his childhood. But the wife said to me: 'Oh, Mr. Spurrier, how merciful in God must it have been to send such messengers to that lonely home in the rocks, to snatch me and my family from heathenish darkness, and place us within the reach of sympathizing friends! I shall not cease to pray for you as long as I live.'"

It is useless to comment upon the reformation of this family.

CHAPTER XXVIII.

CAPTAIN SCOTT'S PLAN FOR RESISTING REVENUE OFFICERS.

Capt. Scott was one of those finished specimens of a typical moonshiner, with a commanding appearance. He was a man of influence, and seemed to be the leader of public sentiment in his neighborhood. There being quite a number of illicit distilleries around him, his position gave him the leadership, and his counsels were sought by the neighbors. John Whitehead, a mortal of the same stripe, was chosen first lieutenant of a regularly organized band, who had determined that a formidable resistance should be made if further efforts were attempted to interfere with what they believed to be their inalienable rights. Whitehead had dropped in to see Scott; and, while brooding over the future, figuratively speaking, Whitehead seemed to be "down in the mouth," and said to Scott: "I have come to consult with you about the best means to be adopted to stop this man Spurrier from coming into this neighborhood to interfere with our business. He has the power and authority, he says, to come into this neighborhood and break up and demolish every distillery in this county."

Such a report coming into a neighborhood where the principal commodity was wildcat whiskey, it may be well imagined produced consternation. It stirred the ire of every man, woman and child for miles

around, and the outcome of it all was a declaration of war upon the Revenue officers. Captain Scott was not surprised when Whitehead suggested that plans be adopted for a formidable resistance, should Spurrier or his agency attempt to further molest them in their business. The future flashed with rapidity before his mind, and, being a man of more than ordinary mind, he naturally took in the situation at once. All the coming evils which were to follow the enforcement of such laws loomed up before him; and, believing as he did, with many others, that it was all in the interest of a favored few who were running the larger distilleries, the whole matter presented a gloomy aspect to his mind. The thought of losing his distillery, followed by other inconveniences which must necessarily follow, stirred in Captain Scott a spirit of resistance. Thereupon, he too was ready for a rebellion. He saw that not only the distillery would be destroyed, but the revenue of the country around would be cut off in consequence of such a movement. Then, if schools should be established, and churches built up, whiskey drinking would be abolished, and preachers with their Sunday schools would certainly ruin their business. Captain Scott did not, however, lose hope; and, believing as he did that such a disaster would work a hardship generally, he immediately set about devising a plan, with Whitehead and others, to rid the country of Spurrier and his comrades. With a fixed purpose before him, he then and there decided that a formidable resistance should be made; and in this he only voiced the sentiment of many others for miles around. It was agreed that an organization be immediately set on foot, under the com-

mand of Scott himself. It was thus matters stood, with Scott's forces organized, when Spurrier, with two other men, visited Scott's distillery for the purpose of bringing him before the authorities for violation of the Revenue laws.

Although the demand was urgent, and the bait tempting, these Revenue officers were not hasty in their work, when it became generally known that these wildcats were such desperate fellows, and fighting for what they believed to be their rights. They also knew that the situation of many of these distilleries was such as to make it favorable for an attack from bush-whacking; hence, it took a man of courage to face such formidable strongholds. Spurrier was not aware of the situation when he determined to visit the notorious distilleries in the Scott settlement. "With only two men, Henderson Young and S. M. Finsley," says Spurrier, "I went out to Pea Ridge, which is on the line of Tennessee and Kentucky. It was from this neighborhood that several men had been carried off, under arrest for violating the Revenue laws. This fact had somewhat emboldened the Revenue officers, and perhaps we were not as cautious as we should have been. We were within about two miles of Scott's distillery when we hitched our horses in a secluded place, and proceeded on foot to Scott's premises. We had left Salina in the morning about two o'clock, which enabled us to reach the distillery about ten o'clock. When in full view of the premises I could see no one, but scented the hot beer. I left Young and Linsley behind, and made my way to the distillery. I could see no one about the premises, and I returned to report to my comrades. When

told of the situation, Young's remark was that he feared we had been led into a trap. We secreted ourselves near the building, to wait and watch further developments. In a very short time a lame woman was seen coming down a pathway leading over the hill, in the direction of Scott's distillery. She went into the house and around the place, as if for something, or somebody. She seemed to be looking for tracks, and went back in a short time in the direction from which she first came. It was but a short time until she came back, and made a more thorough search of the premises. This second visit was conclusive evidence that we had been discovered coming into the neighborhood. We determined, however, to wait further developments, little dreaming what was in store for us.

"In about two hours or less from the time the woman left, three young men were seen coming from the same direction, and down the same pathway, and from all appearances they were coming to go to work. They came with their coats upon their arms, and went into the house; but only remained a short time, when they secured a jug of whiskey, as we supposed, and went back in the same direction from which they came. It was but a short time from this that I discovered some men with guns, slipping from tree to tree, as if driving for game. Simultaneously with this we heard voices from behind us, when for the first time I then realized the perilous condition or situation in which we had allowed ourselves to be placed. We remained in our hiding place, and very shortly a large, tall man came down the hill; and with the authority, as it were, of a commanding officer, yelled

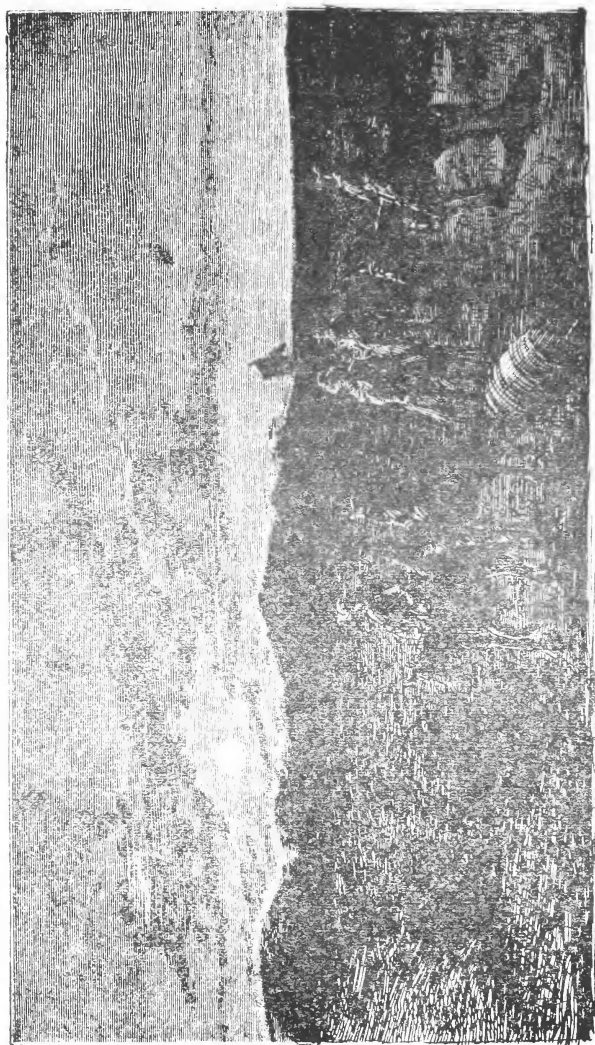
out at the top of his voice, saying, 'Close in boys!' We then discovered the forces coming from all directions. Some of them passed within a very short distance from where we lay, but, failing to rout or discover us, they all gathered near the distillery, around a log heap which had been fired. The captain of the forces, which proved to be the veritable Scott himself, arose, and with all the pomp and dignity of a commanding officer remarked: 'Boys, Spurrier is in here somewhere. He came into this hollow this morning, and he could not by any means have made his escape. He is here somewhere, and we must have him.' And, chunking up the fire or log heap, he further said: 'If we get him we will burn him in this log heap. Get some more whiskey, boys, and let us make a more diligent search.'

"At this announcement I told my comrades it was time to be making tracks for our horses. We had scarcely gotten over the hill, and out of sight of our pursuers, when an unearthly yell went up, as if a Stonewall Jackson had stormed the fortress of Manassas. This put new energy into our heels, and if our readers desire to know how fast we ran to reach our horses, go ask the old sturdy oaks of that mountain hillside. They were the only witnesses of our energetic movements as we left Scott's forces behind. Suffice it to say, we spent but little time in getting out of the wilderness. We were afterward told by Scott himself that we were followed to our horses, and, not being mounted, the pursuers abandoned the chase.

"Flushed with what they believed to be a successful effort, the plans of the moonshiners, after our escape, were multifarious and actively pursued.

Their first move was to advertise that Spurrier and his men had been run out of the country, and any suspicious characters found communicating with Spurrier and his men would be roughly handled. The facts of our defeat were reported to Colonel Butler, who was then in charge of the Revenue department at Nashville. I told him that I could not undertake to serve the department against such odds without more forces. I said to him that these organized moonshiners were determined men, and it would take a larger force to break them up. Colonel Butler then furnished ten men, with instructions to go back and more thoroughly investigate the situation, and find out the extent of their organizations. We then went back to the neighborhood, discovered and destroyed two distilleries, but were unable to capture the owners. We seized one barrel of whiskey, whose owner was Williams, a man living back in an out of the way part of the country where it was difficult to find a conveyance, and our party were puzzled at first to know how we should get the whiskey removed. B. C. Brown, one of the department marshals, suggested that if we could secure a pair of gear, he had a gentle horse, and with a sled he would undertake to carry the whiskey to where we could ship it to Nashville. Brown's suggestion was acted upon, and, with a common sled, Brown, with his barrel of whiskey, led the way. "Scott, with his accomplices, was yet at large, and I determined to make one more effort with a small force. I therefore, with Young, Linsley and Brown, returned to Scott's neighborhood and succeeded in destroying another distillery, but was unable to capture Scott.

“When we got to Salina, after this trip, it was agreed that the party disband, go home for a rest, but to meet again early the following week. I remained at Salina alone, and the moonshiners by some means found it out. When they learned that I was at the hotel and alone, they assembled themselves together, and with one gallon of whiskey and two dollars in money they hired one John Smith, a notorious bully and desperado, to come over to Salina and either kill or run me out of the town. Smith was a large, raw-boned fellow, and was considered the bully of the neighborhood. Unaware of what was up, I was sitting on a goods box in front of the door of a drug store in a reclining position, when this burly, rough-looking specimen of humanity rode up, and crowed like a chicken cock, saying at the same time, ‘If Spurrier has any friends in town they had better get him out.’ I immediately took in the situation, and, without saying a word to any one, I went into the hotel and secured my pistols, which I had laid aside. Some one said to Smith as I walked off, that if Spurrier stayed in the hotel he need not fear him, but, said they, if he comes out again you may look out. I remained in the hotel long enough only to get my pistols. When I came back I found that Smith had gone in the direction of the court house. I followed him, and chanced to meet him face to face as he turned the corner of the house. I asked if his name was Smith, and he said it was. ‘Then,’ said I, ‘this is Spurrier, the man you are looking for, and you are the man I am after. I have a capius for you, sir, and you must go with me to jail. Consternation and



disappointment were depicted upon his face, and, seeing my pistol glaring in his face, he surrendered without further ceremony. I soon had him behind the bars of the jail. This did not end the trouble; and, believing that I might be again placed in an awkward position, I telephoned Young and others what I had done, and that his trial was set for Monday morning, and I wished them to be there. Smith made his bond and returned home. I went back to the hotel, thinking I might encounter further trouble before day. In this I was not disappointed, for about midnight some one called at my door and informed me that I had better get up and get out of town, as there was a band of moonshiners coming down from the mountains to mob me. I gathered up my weapons, went out and awoke the sheriff, informed him of what was up, and told him I perhaps would need his assistance, as there was a mob of I knew not how many men on their way to Salina to murder me. The sheriff summoned six men, and sent them out to the river as pickets. As the moonshiners approached the opposite bank of the river, and saw an armed force on the opposite side, they became alarmed, abandoned their project, and returned home."

CHAPTER XXIX.

CAPTURE OF CAPTAIN SCOTT.

“Being now convinced that no small force could dislodge such a determined set of men, I again notified Colonel Butler that if more men were not furnished I would have to resign or abandon the field of operations. Seeing the urgent necessity of a larger force, and a force sufficient to break up these organized bands, some firm men were then put in the service, with orders to go into the Pea Ridge country where Scott and his band were operating. The following men were deputed to go with me: Col. T. H. Baker, R. H. Overall, Henderson Young, T. J. Wilson, B. C. Brown, S. M. Linsley, Rus. Maxwell, J. O. Collins, J. L. Spurrier, W. T. Tanner, Maj. R. H. Hancock, J. R. Bates, D. C. Brown, J. R. Casley, J. E. Tucker, E. Beggerstaff, E. Holmes, James Kerseller. We were directed to destroy and break up the distilleries in and about all that Pea Ridge country, and arrest the violaters of law—every one who was known to be connected in any way with the business, or connected in any way with the organizations. I went to Gainesborough, the place of rendezvous. It was late in the evening when all the men got in, and up to this time but few knew the object of our movements. The moonshiners, therefore, had but little time to find out what was on hand. The forces were regularly organized, and by mutual consent I was chosen as leader. Captain Hawkins was put in charge

of the Kentucky forces, and the force divided. By agreement, we were to meet on Pea Ridge at 10 o'clock at night. Each squad took separate roads, but arrived simultaneously at the place appointed for meeting. The premises of Captain Scott, the leader of the moonshiners, was the first place visited. As we neared the house, I with eleven men made a break for the distillery, while the rest of the men visited the house. The fire was still burning under the furnace at the distillery, but no one could be found about the place. We destroyed the distillery, and then went back to the house, where we found the rest of the men had secured Captain Scott in person. He was out in the yard, some distance from the house, when I approached him, shook his hand warmly, and said to him: 'Do you know me?' His answer was that he did not. 'Then,' said I, 'this is Spurrier, and as you value your life my advice to you is to stay near me, and I will protect you. You will find men in this crowd who only want a chance to kill you. Heretofore you have looked upon me as your enemy, but I can assure you, Captain, that you would have burned the wrong man when you punched up that log heap some weeks ago to roast Joe Spurrier, if you had gotten hold of me. As it is, I am glad to know I have it in my power now to protect you from a desperate set of men, some of whom would kill you upon a flimsy pretext.' Whitehead, Scott's first lieutenant, was found early the next morning at a blacksmith shop in the neighborhood. Young and myself happened accidentally to run on him. I put the same question to Whitehead, and asked if he knew me, to which he replied he did not. I then reminded

him of the fire that had been built to burn Joe Spurrier.

"These men were handcuffed and chained together, believing it was best, since they were to be sent under guard to Berksville, and across the river. They were started, but in crossing the river, the guard becoming careless, Scott and Whitehead leaped from the boat, chained as they were, and made their escape.

"The company destroyed nine distilleries in the Pea Ridge country before they returned. This for a time put a quietus to wilddcatting in that vicinity. I was then appointed general collector for the State, and returned to Pea Ridge for the purpose, if possible, of arresting Scott and Whitehead. I selected men to go with me whom I knew to be true and trusty. I found that Whitehead had left the country, but Scott was still defiant. We went to Scott's house about ten o'clock in the morning, and found him at a mill not far off. But he again made his escape. We again destroyed a rude distillery that he had erected, and took charge of a team that was standing near by, that belonged to Scott.

"At that time my operations were only allowed in Tennessee, but Captain Young, who was with me, had jurisdiction both in Kentucky and Tennessee, as commissioner. Scott's distillery being in Kentucky, Mrs. Scott was told that if Scott would come to Salina for his team, as Spurrier had then no jurisdiction in Kentucky, he could get them back. Scott, believing there was a chance to get his team, and that no one had a right to arrest him in Tennessee for offenses committed in Kentucky, concluded to make the effort to get back his team. He selected several of his

neighbors to go with him, and about ten o'clock at night some one knocked at my door, and upon opening it I was confronted by Scott and three other rough looking specimens of humanity. Thus confronted with what I believed to be four desperate characters, I at once concluded that Scott meant mischief. He accosted me with the remark that he believed I had nothing against him in Tennessee. My reply was that he should see Mr. Young, the marshal, who would give him the desired information. Young was on the lookout, and at this question stepped into the room, and said to him: 'I have only been waiting for you to get through with Captain Spurrier. I was with him when you punched up the log heap to roast him, and now you are my prisoner. You, gentlemen, who are with him, vacate the room immediately, or suffer the consequences.' The room was vacated in a jiffy, while Scott, the noted Pea Ridge man, was secured and safely lodged in jail, and turned over to the Kentucky authorities. He served out his term in Louisville prison, was then arraigned before the federal court at Nashville, and again sentenced for several years more. He appealed through his attorney to the commissioner, and was referred to Spurrier for his claim upon the clemency of the court. Spurrier told Scott that he was powerless to help him, as his case was then in the hands of the court. "But," said Scott, with tears in his eyes, "your influence would go very far toward mitigating my punishment." And, after consulting with the commissioner as to the advisability of continuing his punishment, Spurrier recommended and advised that he be allowed to go home, upon a promise to never

again engage in making wildcat whiskey. Scott was informed of the agreement, and he then said: "I not only promise to abandon the business, but will never again drink a drop of the vile stuff myself, which has already caused me so much trouble." Spurrier, true to his instincts, used his influence to have Scott released, and when he was told that he could go home to his family, he embraced Spurrier in his arms, and promised to be his life-long friend.

CHAPTER XXX.

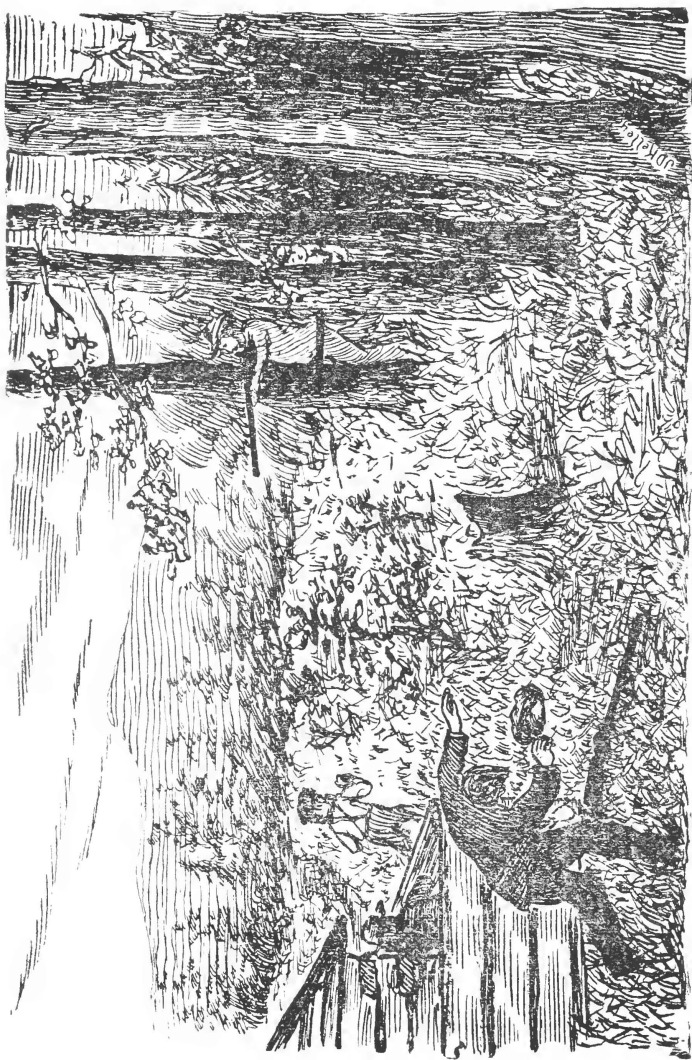
M'DONNOLD'S DEATH.

McDonnold was comparatively a young man, and if the kind admonitions of a dear mother had availed he would, perhaps, have been living to-day. The dear mother had bound him to her around the fireside during boyhood ; but as he grew up to manhood, like others, he had a longing desire to leave home for untried fields of adventure. And if a dear mother's solicitations had been heeded, he would not, perhaps, have been so untimely taken from her.

Young McDonnold became fascinated with the business of raiding wildcat distilleries ; and, like many other indiscreet raiders, was reckless of after consequences. His mother had plead with him, with all the earnestness of a doting parent, to quit the business and engage in something better ; but her kind admonitions were not heeded, and at a tender age, as he turned a deaf ear to a dear mother, he was made the target of a desperate moonshiner, and unmercifully slain in the discharge of his duty.

The morning he left home, and on the day he was killed, he said to his mother before leaving : "I feel as if something unusual would happen to me before I get back."

He was fully warned as to the character of the desperate man with whom he was to deal. Hence, he approached the prowess cautiously. Pilers, the



desperado, with one other man, was found at the distillery, and ordered to surrender. McDonnold, in the meantime, bringing his gun to bear upon Pilers, who had to all appearances surrendered. The man in the house with Pilers started to run, and, as McDonnold slightly turned and motioned Phillips, who had gone with him, to look after the fleeing man, Pilers took advantage of the moment, seized his gun, which was near by, fired a full charge into the body of McDonnold, who fell lifeless at his feet.

CHAPTER XXXI.

STAMPS'S DEFEAT.

In the early part of March, 1892, Captain Spurrier received a letter from C. B. Kimes, a well-to-do farmer, who lived on the headwaters of Obed's river, in Fentress county, Tennessee.

This letter stated that the moonshiners, who were running a wildcat distillery in his neighborhood, had notified him that he must either leave the country or pledge himself that he would in no way interfere with their business. Kimes was an elderly man, who had lived to raise a large family, among whom were some boys who were frequenting these distilleries; and the old man had become somewhat alarmed, lest these boys should become corrupted, on account of the vicious associations with which they were daily coming in contact. He had, therefore, been free to express his disapproval of their frequent visits to such places, and perhaps had threatened to report them. At any rate the moonshiners had become exasperated, and notified the old man that he must either comply with such terms as they might dictate, or abide the consequences. We here give a note, in the language of the moonshiner himself, to Kimes, notifying him of the dangers ahead:

MR. BEN KIMES:—I want you to be kerful how you are hunting stills in this cuntry; ef yóu don't mind you will hunt that you dont want to find, you G——d——m old grey whis-

kered sun of a b—h ; ef we ever yur of you huntin' for sum-thing any more, we will not leave life in you, you d—m old hypocrite, you old drunken sot ; ef you know'd what the people thort about you, you would lay low and keep dark ; and ef you know'd what I know, you'd keep your mouth shut, you d—m old d—m drunken hypocrite ; we'll put you past hunting stills."

The above aroused the old man, who in other days had been a strict member of the Baptist church ; but such surroundings had led him off, and for several years he had become reckless and negligent of his duties as a church member. He had become not only reckless, but he was fearless, notwithstanding the surroundings.

The moonshiners soon found what the old man was when he became aroused, and that they had mistaken their man. This notice had the effect to fire the old man, and prompt him to put forth more vigorous means to break up their business. When he became aroused, he very soon showed that he was not to be backed down, and it was on account of his continued and persistent opposition that he received a second notice.

He awoke one morning to find laid at his doors a bunch of hickory switches, some of which had been twisted with knots tied in the end, after a primitive fashion or custom known among the ancients, as a notice to witches to cease their incantations or hoodo tricks, or they would be summarily dealt with.

In ancient times it was known that the number of knots tied in the switches indicated the number of days given or allowed the offender to leave the country, or make such confessions as would satisfy the community in which he lived. In addition to the

knots tied in the switches, four days were allowed in which to settle up and make preparations to leave. Kimes found a note accompanying these switches, which read about as follows:

You fix up your matters, and git redy to leave this country; the knots tide in the switches will show you the number of days you will be allowed to settle your affairs; you will be allowed four days to say what you will have to say—whether you will leave the country, or promise not to interfere with our business; ef you don't leave, or say what you will do, you will find these switches a sample that will be laid on your naked, bare back.

With such notices, is it to be wondered at that the old man was aroused to the highest pitch of desperation? and that he should notify the authorities to come to his assistance?

He immediately set about making preparations—not to leave, as his enemies had expected, but to defend his premises. “He wrote a letter to me,” says Captain Spurrier, “and told me to come to his assistance, and he would clean up the wildcats in that section that were threatening his rights as a free man. With three other men—Brown, Tilly, and Simmal—I proceeded immediately to the old man's house, arriving on the morning of the day that the notice was to expire.

“The old man was sitting at home, with his Winchester rifle upon his lap, quietly awaiting results. He had our horses put up and fed; and after supper he led the way over a rough mountain road, with his Winchester upon his shoulder, to the distillery of Stamps and Welch.

“The distillery was destroyed, and with the old man in the lead we were conducted to the residence of

Stamps, where he was found and arrested. When I approached the door, I had expected the old man would retire; but not so. When the door was opened he rushed in with his gun, and accosted the prisoner, saying, 'You want to lay some more switches at my door to scare me away from home; but you have waked up the wrong man. I have brought these men here to break up your moonshining, and to tell you what you must do.'

"Stamps became furious at the sight of the old man, and ordered him out of the house, saying to me, 'Kimes is my enemy, and he must get out of my house.' I said to Stamps: 'You have violated the laws in more ways than one, and it becomes my duty to say to you that if you attempt to hurt a hair of the old man's head it will not be well for you or your family. And, besides, if any one in the neighborhood should harm him, I shall be compelled to come back and avenge his wrongs.'

"Stamps agreed that he should not be harmed; and, after giving bond for his appearance at court, we turned him loose and returned to Kimes' house, where we found his wife anxiously awaiting our return. Said he: 'Wife, give these men their breakfast. We have cleaned up the moonshiners, and now we shall have peace.'"

CHAPTER XXXII.

ROBERT M'CORMACK.

Robert McCormack was, perhaps, one of the oldest, as well as one of the most persistent moonshiners known to the Revenue officers in the South. McCormack was not only in the business, but he was quite an old man when he was sent to prison, being seventy-six years old. He was also quite a large man, and weighed three hundred and twenty pounds. McCormack, like others, had allowed himself to become a monomaniac upon the subject of making wildcat whiskey, and for more than twenty years he had been regularly before the Federal Court for violating the Revenue laws. The judge would reprimand and forewarn him of what would be his fate if he persisted in the business; but, when arrested, his genial good nature and ready wit always won for him the good will of the officers, and in this way he always had some friend to intercede for him. He was finally convicted and sent to prison in Columbus, Ohio, by Captain Spurrier. He was too large a man to attempt to get away from an officer, if he had wished to do so. Consequently, he was harmless in everything else except his mania for moonshining. "About six months after his return from prison," Spurrier says, "I met him near his home, in Wayne County, Tennessee. He was in the woods, calling up his cattle, when I saw him. He looked rather neat, and said

to me: 'Spurrier, I am now glad that I was sent to prison. Those fellows up in Ohio treated me well; and, besides, they learned me to be more neat and cleanly with my dress, and since I have come back I am resolved that I have set my last chunk of fire under a wildcat still;' and as he said this he hobbled to where I was, gathered me by the hand, and said, 'I am a changed man.' He was dressed in his favorite suit of old-fashioned, homespun clothes, with his hat turned to one side; but his general appearance indicated that he had in reality reformed.

"McCormack, like other goody-goody men, had to his own detriment bought off the officers by his ready wit and good humor, until he had come to conclude that it was rather a sharp trick to make wildcat whiskey, and then evade the law by spinning yarns for the amusement of the Revenue officers."

CHAPTER XXXIII.

BRIZZANTINE'S DISTILLERY.

"On one occasion, while traveling through the country," says Spurrier, "I stopped to stay all night at a public boarding-house near Buck Lodge, Sumner County, Tennessee. After supper I was told there was a lady (who was then boarding at the same house) wished to speak to me in the parlor. When I met her I was surprised to learn that she wanted to report the whereabouts of a distillery, which, she said, was making wildcat whiskey. 'And, besides,' said she, 'I have a husband who is very dear to me that is spending all his time and money at this place;' 'but,' said she, 'I dare not let it be known that I have been instrumental in breaking it up. But I wanted to let you know where it could be found, and also who the owners are. It is now being run by Brizzantine Brothers, and it is ruining my husband.' I immediately returned to Nashville, and secured the services of Tom Cox, Ed Graves and others. We went back by way of the railroad, and walked out into the neighborhood designated. We found the distillery without much difficulty, but failed to find any person except one man at work in the distillery. We arrested the man at work, and destroyed the distillery, but failed to find the owners. We returned to Nashville, and I then went back alone, thinking to capture James Brizzantine, the leader and principal of the

distillery. After making several efforts to capture him, I found him to be very fleet of foot, and could easily outrun me; hence, I failed to get him until I hired Charley Almonds, a regular foot-racer, to help me run him down. I told Charley that I had a man that could outrun my horse, and I did not want to hurt him. 'And now,' said I, 'if you can't catch him, I know of no way to get him. He keeps out a watch for me, and as I approach from one direction he runs in the other. If you will go and take your position on the opposite side of the house, perhaps we will be able to capture him.'"

Charley was directed to a position on the opposite side of the house to await results. "I approached from the front, and had almost reached the door, when I was discovered by a small girl, who cried out to her father, saying, 'Here is Mr. Spurrier, pa!' This I knew was the signal for a start. He made a break from the back door, but Charley was in position, and the race began. I looked on with as much interest as I ever did at a horse-race; and for several hundred yards it was a pull for who was the best runner. Such a foot-race as was witnessed across that old field would have done credit to Belle Meade. It was after a long pull across the field, and just before reaching the fence next to the woods, Charley gathered him by the tail of his coat and ordered him to surrender. When Charley showed him his pistol he threw up his hands, and I was soon in charge of my man. Brizzantine turned to me, and good humoredly said: 'What sort of a hyena have you brought to catch me?' I told him it was my racer that I held in reserve for just such men as he. He then said to



me: 'This is the first time I have ever been beat running, and if you, Spurrier, had ever attempted to shoot me, I should have killed you before this; but since you have beat me a fair race, I surrender, and will willingly go with you. But if you will go back with me to the house, I will show you a sick wife that I do not believe will live.' I returned with him to the house, and found, as he had stated, that he had a very sick wife.

"I then told him to meet me at Buck Lodge the following morning, and make his bond, and I would take his word for his appearance. He assured me that he would be there if living, and he was true according to promise. Brizzantine, after extricating himself from the dilemma in which he found himself, determined to abandon the business, and is to-day a useful citizen and one of my warmest friends.

"Sometime after this breaking up of Brizzantine's distillery, I met the husband of the lady who gave the information as to its locality, and he insisted on my telling him who gave the information. He said to me: 'I will give you ten dollars if you will give me the name of your informant.' 'No,' said I, 'your money, no matter how large the sum, would be no inducement for me to tell you; and, besides, it has been a Godsend to you and your neighbors that it was broken up.'

"It was some time before I again saw this man, but when I met him in Gallatin, some months afterwards, he approached me with tears in his eyes, and said to me: 'Sir, you were right; the breaking up of that distillery was my salvation, and I feel now that I can

never be thankful enough to you and my wife for your timely interference of my destruction.'

"The good lady also still lives, and said to me the last time I saw her that she hoped to live to pray for me.

"The influence of habit had so fastened itself upon this man that he found it very difficult to break its force, while daily associating with the victims of this wretched vice. Such associations, he said, when brought to his sober senses, had lowered his standard as a human being; and, with a consciousness of having brought grief and sorrow to the heart of his good wife, when broken up from his old haunts he reformed and made a good citizen. But oh, the sad sight of a whiskey shot, when fired into the heart of a dear wife or mother, is, perhaps, the saddest sight of all other sights; since it leaves in its tracks living wounds that must bleed from day to day, while the victim but too often smothers up and writhes in pain, until God's chariots are let down to take them home."

CHAPTER XXXIV.

CREEK RAID.

There are but few men who engage in the whiskey traffic who do not feel at times, in their better moments of thought, a consciousness of wrong, either for making or selling whiskey. Such men occasionally become disgusted with themselves, when they reflect upon the evils surrounding the use of whiskey in every way. But when you say to a man that he shall not make whiskey, he will attempt it at all hazards, until convinced that it is wrong, or that it will not pay him; then there will be no need of law to keep him from it. In other words, when you treat these mountain moonshiners respectfully and kindly, they become thoughtful like other people—not because the law says they shall not make whiskey, but because you arouse their better nature, and their convictions impress them that it is wrong and they cannot afford to violate the Revenue laws. It is because such sentiments have been strengthened by the more prudent and cautious Revenue officers that some have been able to gain their confidence. An incident is here given, as related by Captain Spurrier himself, in which is shown how quickly such persons yield when approached kindly. He says:

“I was called upon to destroy a distillery about twelve miles north of Stevenson, Alabama, on Little Crow Creek. I had two men with me, Messrs. Stone

and Robinson. As we approached the designated place, we saw two men run off from a house. One of them had in his hand a large pistol, and the other one carried a gun. I rode up to the house, and inquired of the lady of the house where her husband was. Said she: 'It is none of your business, and I want you to understand that we would rather have moonshiners in this country than Revenue officers to be troubled with. You Revenue officers come into my house and scare my children and tumble my beds, making excuses that you are looking for somebody, when you only want to steal something; now then, I will not tell you anything, and you need not ask.'

"I then said to her: Madame, it is true that we are Revenue officers, but we are gentlemen for all that, and can assure you that we know how to act as gentlemen. My name is Spurrier, and I only want you to say to your husband that one set of Revenue officers have been in here that know how to act, and that came to make peace, and not war; friends, and not enemies. I then gave the children a few small coins and some apples we had with us, and was fast making friends with the entire household, when I heard a gun fire above a large bluff overhanging the road we had to travel. There was nothing very significant in the firing of the gun, but simultaneously some one gave an Indian yell which I took as a signal for others to rally for mischief. I then said to the woman of the house that the yell and firing of a gun forebode evil, and as I did not wish to encounter any difficulties, if she would direct me to some other route I would rather not go under the bluff. She then soon showed that my kindness to the children was

appreciated. She readily showed me how to cross the creek, and then said she was satisfied that we were gentlemen; 'and,' said she, 'I invite you to call again, and can assure you that when you come again my husband will be at home and no harm shall befall you. We are not afraid of such men as you are.' We returned to Stevenson, but learned afterwards that two men were in ambush for us if we had decided to go under the bluff."

CHAPTER XXXV.

REFORMATION.

Many of the better class of moonshiners have learned to realize the folly of attempting a resistance to the Revenue officers, while the depravity of many others will never allow them to engage in anything better. Some have learned that the business will not pay, while many others have been led to see the good results of breaking up the business entirely. It is, perhaps not generally known that from the year 1870 to 1880 more than five thousand distilleries were destroyed, which made annually not less than seven million gallons of whiskey; and that amount, at ninety cents per gallon *tax*, would foot up the enormous sum of over six million dollars. This heavy loss to the government, and the serious disorganization of the legitimate liquor trade, shows to what extent the officials of the Revenue department are dependent upon the business for support. Besides, it shows how far the government is dependent upon whiskey for its revenue. It also shows the necessity of an enormous outlay for government officers to watch and break up this illicit distillery business. Besides, more than two hundred government officers have been slain, to say nothing of the poor moonshiners that will more than double that number. There is no means of ascertaining the number of lawless characters who have been killed in these raids,

but we may reasonably conclude that many have been slain who were ignorant of any wrong in making wildcat whiskey. Many of these old hardened reprobates have been free to express an opinion that it would be wrong to kill Spurrier, and as long as he remained in the Revenue service it would be useless to attempt to make wildcat whiskey. All agree that they cannot afford to kill such a man, since his policy is not only to avoid bloodshed, but to establish peace; and, besides, the good results of his work can be seen in the establishment of schools and churches where once reigned terror and disorder.

A happy incident is here related, which resulted in the conversion of one of these moonshiners to Christianity, and worked a complete revolution in his neighborhood. This moonshiner was accidentally thrown into the hands of a pious old man, who was noted for his hospitality. For several weeks the moonshiner suffered from a severe and desperate case of sickness, while the hospitality of this old preacher, aided by the spiritual unction of his prayers and exhortations, won upon the heart of the moonshiner, and he pledged himself not only to abandon the business and lead a better life, but to teach and admonish others so to do. True to his word, when he recovered and returned home he turned his attention to preaching, and much good was the result of his efforts.

CHAPTER XXXVI.

THE FRUIT TREE VENDER.

The difficulty of locating these wildcat distilleries at first rendered it exceedingly dangerous for travelers who chanced to be canvassing for books, fruit trees, or other matters of interest to the people. It was necessary that the utmost precautions be used, lest such persons should be taken for Revenue officers, and thus subject themselves to great danger.

An incident is related by a young man himself, who was canvassing Fortress County, Tennessee, in 1871, which will convey some idea of the desperate characters who were in sympathy with the moonshiners at that time. This young man says: "I chanced to stop for a rest under the shade of a tree, in the vicinity of some of these wildcat distilleries, and, while resting my head against a tree, I heard a rustling in a small patch of corn near by. Turning my head in that direction, I discovered some one in the act of shooting through the crack of the fence. I ducked my head just in time to hear the report of a gun, and see the bark fly from the tree against which I was reclining. The man proved to be not a moonshiner, but a half-witted fellow who was in full sympathy, and had taken me for a Revenue officer. Other incidents, which followed very soon, impressed me with the fact that my situation was not only an unpleasant but a dangerous one. I began to fully realize that I was traveling in the wrong direction. Night coming on, I chanced to fall in with one of these

moonshiners, not knowing where or with whom I was stopping. When I made application for lodgings I was told that the man of the house was not at home, but was given permission to stay until he came in. I was fatigued from my day's tramp, as well as demoralized from my encounter with a crazy man, and was prepared to accept any proposition for a night's rest. The house was a small log cabin with only one room, and it was covered with boards weighted with what the natives called weight poles, to hold the boards down. A ladder was set up, and led to the loft or upper deck, which was floored with loose boards also. Through the cracks of these boards I could see what was going on below, around the fireplace. This was a large, commodious one, that would take in a stick of wood from six to eight feet long. I impatiently waited for the coming of the landlord, until it became too late to look elsewhere for lodgings. My hostess said to me finally that perhaps her husband had been belated at the still house, and would not be in till late. I was then assigned to the bed, or pallet, which had been provided for me upon the upper floor. My imagination ran out, as I lay tossing upon my pallet, to some lonely spot upon the bleak mountain, where perhaps my bones might be left to bleach, while I thought of home and loved ones, and contemplated the possibility of being murdered before day. While thus tossing and rolling in my restless mood, I heard some one approach the house, and gently knock for admission. The door was readily opened with but little ceremony; and, peering through the cracks, I observed a man enter the house with a gun and two large navy pistols, and look

around him. From his side dangled a huge knife. I anxiously watched his movements through the cracks of the loose boards, until I saw him set his gun down and lay off his pistols. I then breathed a sigh of relief; but in the mean time a low, whispering conversation was going on between this suspicious fellow and the woman I took to be his wife. The woman pointed above to where I lay, when my suspicions were again aroused. The man, after laying aside his other weapons, drew from its scabbard the large knife, and approached the ladder. He ascended slowly and cautiously. My mind again wandered back to the loved ones I had left behind, while I looked in vain in every direction for some opening through which I might make my escape. But all was now dark and hopeless. My limbs were completely paralyzed. Thinking, however, that I might excite some pity by feigning to be asleep, I closed my eyes with horror; but, opening them very soon again, I saw the man standing over me, while he reached out above my head. A momentary pause of suspense, and I again opened my eyes, and discovered the man reaching out for a large middling of bacon which hung above my head. Slicing some bits of meat off, he retraced his steps, and was soon enjoying a hearty supper, unconscious of the fact that he had almost committed murder. I found next morning that, notwithstanding the fact of my having partaken of the hospitalities of a generous, noble fellow, my hair had commenced turning gray; and long before I left my couch, or pallet, upon the boards, I planned in my mind to leave the moonshiner to his happy hunting grounds as quickly as I could find my way out of the country."

CHAPTER XXXVII.

A ROMANCE FROM REAL LIFE.

(BY THE AUTHOR.)

Jack Burton, the prominent personage of this narrative, was born in the mountainous regions of North Carolina, and of pious parents. He was quite a small lad when his parents died, leaving him and an infant brother to battle with the hardships of life. Jack grew up with environments not altogether in keeping with his earlier training, but he was a wide-awake little fellow, and alive to the fact that he had to wend his own way through the world. He had been led to believe by moonshiners, who infested that part of the country, that if he could beat Uncle Sam or the United States government by making wildcat whiskey and selling it without paying the tax on it, there was nothing morally wrong in doing so. When he grew up to years of maturity, he sat down and counted the cost, and the result of his deliberations were that he could convert one bushel of corn into four gallons of whiskey; and if this whiskey could be put upon the market without having to pay the government tax—which was ninety cents on the gallon—he could beat the government out of at least three dollars on the bushel of corn manufactured; and then if he could evade Joe Spurrier and his men, who were then believed to be only the hired agents of the larger distilleries, he might make quite a good thing out of wildcatting.

He thereupon entered into compact with others, and erected a wildcat distillery in one of those secluded places, situated upon a bluff overhanging the gorge below, making the place a favorable point to elude the Revenue officers, should they be found out.

The distillery had scarcely been put in operation when they were detected, and the entire plant destroyed. Thus broken up in his first adventure, Jack began to take a more philosophical view of the matter, and determined at once not only to abandon the project, but go West to avoid arrest. Leaving his younger brother in the care of an aged aunt, Jack took his departure for the wild West, where he engaged for awhile with a wealthy ranchman as a cowboy. He very soon acquired the habit of a typical cowboy, by wearing long hair and long beard. He was a man of fine form and portly mien. Jack Burton, however, was destined to a higher sphere in life, and it was not long until an opportunity offered for him to read law. By close application he very soon developed into and made a famous lawyer of himself. He was not only famous, but practical, in bringing to justice those lawless characters known in the West as cattle thieves.

His peculiar and daring characteristics soon won for him a fame that was known far and wide. He had from some cause been dubbed Jack Ah-Lee. Ah-Lee was a Chinaman with whom Jack had been associated as a cowboy, but his face was an exception to the monotonous features of the Mongolian. He was almost white, with a Caucasian regularity about his features that gave him the appearance of a white man. Ah-Lee had dark eyes, which lighted up with

peculiar brightness, indicating something more than an ordinary man. He, too, had adopted the customs of the cowboy: but, having been converted to Christianity, he had vanished from that region, leaving an impression behind him, which was like a burning prophecy that he would be heard from again. Be that as it may, Jack Burton became better known as Jack Ah-Lee, and perhaps wears the title to this day.

He was engaged in the practice of his profession when he encountered John Lewis, who had recently arrived from North Carolina, and had given the details of William Burton's troubles, and how he was being persecuted by the moonshiners, and of Hiram Cooley's treachery. After hearing the details Jack's blood boiled over, and he determined at all hazards to go to the rescue of this boy. He had learned from Lewis of how Hiram Cooley had murdered the Revenue officer, while he and William Burton were witnesses to the atrocious deed. Cooley knew all this, and by indirect threats and insinuations through his accomplices, had so frightened young Lewis that he fled the country, going West, where he encountered Jack Ah-Lee, the noted lawyer.

BURTON'S TRIAL.

The peculiarities of this case possess an interest well calculated to fix itself upon one's mind, when the circumstances are known.

A vast concourse of spectators had assembled to witness the trial of a beardless boy, who had been accused of double murder, and an indictment found through the treachery of desperate moonshiners in the vicinity of ———.

The judge waited for the sheriff to bring in the prisoner, and the impatient multitude watched the door for the expected advent, when suddenly a stranger entered, whose eccentric appearance riveted unusual attention—a figure stout and erect, with long hair and bushy beard; a smooth, massive brow, polished like marble, eyes piercing and watchful as an eagle, while a bland smile played over his features. One could see a character behind it all. His costume was not like other lawyers, but he was dressed rather eccentrically. Elbowing his way through the crowd, which seemed to be unconscious of all else than that the boy was a murderer and ought to be hung, he advanced, and with a haughty air took his seat within the bar, crowded as it was with lawyers, several of whom were known in that region as famous masters of the law.

This man was regarded as a phenomenon that needed explanation. The contrast between the dress of the stranger and the other lawyers exerted the risibilities of the junior members, who began a suppressed titter, doubtless supposing the stranger to be some wild hunter or desperate moonshiner, who had never before been in the halls of justice. Observing this titter, the stranger turned his head gradually, that he might give each laughter a look of scorn, at the same time ejaculating, "Heathens." The force he threw into the term no pen can describe. Although said in a whisper, the speaker accented the word as if it were an emission of fire that scorched his grinning lips. The sound was, if compounded, of the growl of a tiger and the hiss of a serpent. To say the least of it, it suppressed the risibilities of the

bar. The eyes of the audience were soon directed to the prisoner, who came in under a strong guard. His appearance was enough to excite the admiration of the crowd. His calm, but noble, brow indicated one who feared not the maledictions of his persecutors, who were known to be a reckless set of desperadoes. They had made him an object of much concern by accusing him of murdering a Revenue officer, who had been found under peculiar circumstances. One might see in the flashes of his eye that he stood before the assembly conscious of his innocence.

As that noble boy stood before the bar, a murmur of admiration arose from the multitude, which was plainly audible, knowing as they did the characters of his persecutors. This murmur was followed by an unearthly sigh from the bosom of the stranger. The Judge turned to the prisoner, and said: "William Burton, the court has been informed that your lawyer is sick, and cannot be here; have you employed other counsel?"

He answered: "I suppose my enemies have bribed the lawyers, even my own, to be sick; but a just *God* will defend me." At this a portion of the audience laughed, while others wept; for many believed the boy to be innocent of the charges. The stranger then approached the prisoner, and whispered something in his ear, which caused him to start. Then, turning to the Judge, the stranger said: "May it please the court, I will undertake to defend the prisoner" (another titter); and the Judge asked: "Are you a lawyer?" "The question is immaterial and irrelevant," said the stranger, with a sneer. "As your statutes do not debar any person to act as coun-

sel, at the request of the party." "Does the prisoner request it? Let him answer for himself." "I do," was the reply. "What is your name, as it must be placed upon record?" interrogated the Judge. "Jack Ah-Lee," said the stranger.

The case progressed, and the evidence showed that about twelve months previous a Revenue officer had been murdered in the neighborhood; and the circumstances, together with the treachery of Hiram Cooley and his accomplices, implicated William Burton. It so happened that Burton and John Lewis were eye witnesses to the horrible deed. John Lewis, however, alarmed from fear of these desperate characters, had left the country; then no proof of the deed was left except what William Burton knew. He had been forewarned time and again that if he did not leave, Hiram Cooley, who was the terror of the country, would kill him. Others, who were Cooley's accomplices, were more than anxious that Burton should be put out of the way, since Cooley was the scape-goat for all their dark deeds.

CHAPTER XXXVIII.

AH-LEE'S ELOQUENCE—THE VERDICT.

At six o'clock, Christmas morning, the little town of—— was startled by a succession of reports of fire-arms—one, two, three, and a half dozen explosions—in the direction of Hiram Cooley's sleeping apartments. He had decoyed Burton to his room for the purpose of extorting from him a written confession, but Cooley had mistaken his man. The neighborhood flew to the spot whence the sound emanated, and pushed back the door. A dreadful scene was presented. There stood young Burton in the center of the room, with a revolver in his hand, and every barrel discharged. His features were pale, his eyes flashed wildly, and his lips were compressed with an awful smile; while at his feet, writhing in his blood, lay the all-dreaded moonshiner and desperado, Hiram Cooley, his bosom pierced with bullets, and his pistol lying by his side with only one chamber emptied. "Tell my mother," said he, "that I am dying, and going to hell," and he instantly expired. "Who did this?" cried the spectators. "I did it," said the boy, with accents of firmness. "I did it, in self defense."

Such was the account of the initial circumstances, as brought out on the examination of witnesses. Witnesses for the defense were then brought in and introduced, when John Lewis stood before the court to testify as to the killing of the Revenue officer.

The circumstances which were then brought to bear for the defendant by the strange lawyer not only astounded the court, but confused the whole proceedings, and it was evident that Hiram Cooley would prove to be the murderer.

The eminent lawyers for the prosecution spoke in succession, and covered the prisoner and his counsel with their sarcastic wit and raillery. They attempted to ridicule, and make it appear as a matter of doubt as to whether he or his counsel was on trial. As for the strange lawyer, he seemed to be indifferent; paying the slightest attention to his opponents, he remained motionless during their raillery. But he had learned the particulars from Lewis of the killing, and he had prepared himself for the defense of a boy whose noble impulses he had learned in other days.

When Jack Ah-Lee's time came to speak, he sprang to his feet, crossed the bar, and took his position. He commenced in a whisper so wild and peculiar, and yet so distinct as to fill the hall from floor to gallery, which was evidently making his opponents wince. At first he dealt in logic, amplifying and comparing the circumstances with a combination of facts, together with the surroundings, until the whole mass of testimony looked transparent, while the innocence of his client shone luminous as a sunbeam. The jurors nodded to each other signs of their convictions, while that thrilling whisper had concentrated the whole argument into language as simple as a child's. It had satisfied the demands of intellect, and this, too, in a few minutes. Jack Ah-Lee then turned and changed his position so as to sweep the bar at a glance, and like a raging lion he rushed

upon his adversaries, tearing and rending their sophistries into atoms. His sallow face glowed like coals of fire, while his long, pendant locks quivered in the breeze, as his eyes sparkled, and his voice, like the clangor of a trumpet, uttered denunciations which were simply appalling. While in the height of his fury he seemed wonderfully calm. He painted the venality and unmanly baseness of coalescing for money to crush a friendless orphan boy, who had dared to defend the honor of his good name. A shout of stifled wrath broke from the multitude, while some of the jury cried "Shame!" He had literally aroused a storm of indignation. He then changed his voice, grew more mournful, while his eyes filled with tears, as he traced the boy's innocent childhood, and drew the vivid picture of "man's inhumanity to man," with special application to a friendless boy. At this juncture at least half the audience were crying like children. Then, with flashing eyes and the eloquence of a Demosthenes, he called attention to the death of Hiram Cooley: "Tell my mother I am dying, and going to hell."

The jury returned a verdict of acquittal, and William Burton was once more a free man. He then seized the hand of his deliverer, Jack Ah-Lee, and exclaimed: "Brother Jack, surely God has brought you back from your western home to save your baby brother from the clutches of these barbarous moonshiners."

CHAPTER XXXIX.

TWO DECOY LETTERS.

In Lincoln county, Tenn., there are some of those dark, swampy districts which are always the hiding places for law breakers or desperadoes. Such places are usually selected by the moonshiners to ply their calling, or hide away their wildcat whiskey. It may seem strange to some that so many men can be found who will go so far to violate the laws of their country for such a small business. But when it is remembered that the government tax is ninety cents per gallon, and one bushel of corn will make four gallons of whiskey, and the moonshiners can, by working underground in the swamps, or in mountain cliffs, cheat the government out of \$3.60 on this one bushel of corn, it is not to be wondered at that men would use every diversion imaginable to make an enormous profit by avoiding the tax. Hence it is these moonshiners are found in secluded places.

“About the 1st of September, 1892, in company with Mr. Pulver, I was traveling through one of these dreary swamps in Lincoln county, Tennessee, from Hazelton to Fayetteville, when my attention was attracted to a freshly made wagon track, that had been made plainly visible by the recent rains. This wagon track turned into a dim but suspicious looking road, leading off in an out-of-the-way region. I said to my companion that it would be well for

us to investigate this matter, which perhaps might lead to important discoveries. We drove some distance ahead, and hitched our horses in an out-of-the-way place; and, coming back in another direction through the woods, we struck the same track and traced it almost one-fourth of a mile. We found several barrels of brandy buried in the ground, and covered over with bushes. We made further search, and found one lone barrel about twenty yards from the rest. This brandy proved to be the property of a Mr. Patrick, who lived in the neighborhood. We went to Patrick's house and informed him of our discovery; but he not only disowned the brandy, but disclaimed any knowledge of the real owner. He refused to help in any way to remove it, but consented to allow it stored at his house. We sent out for a team to haul it to Fayetteville. In the meantime eight or ten men gathered about the premises, and among the rest was a brother of this man Patrick. When the team was brought the driver was taken to one side by Patrick, and after a short conversation it was agreed that no one from the neighborhood should assist in hauling it off.

"I then said to the assembly that the law directed that I should either remove and confiscate the brandy or destroy it, and in the event they failed to assist me in the discharge of my duty I should arrest the entire party for trifling with an officer of the law. I furthermore said to them that I was not to be baffled, and what was done must be done quickly. It was then agreed that a bond would be made, and the whiskey delivered to any one whom I might send for it. Immediately afterward heavy threats were made

against any further attempt by Revenue officers to remove any more whiskey from that neighborhood. In a very few days I received a suspicious communication, which was posted at Fayetteville, and read as follows:

September, 12, 1892.

J. L. SPURRIER: *Dear Sir*—I write to notify you to come out. I am watching ten barrels of brandy that is hid in the bushes, and I believe will be moved soon. So come at once, and follow my way bill and find some. Come by way of Fayetteville, Tennessee, to Renigan on Stewart's Creek. Keep main road from Renigan up the creek. When you get to top of Howell's Hill, keep south end of road for about one-fourth mile, when you strike a road running angling across main road from left to right; take right hand, and for near one-half mile notice a small sapling cut down on left hand side. Just pass said sapling and find their road, on same side. Take that, and find said ten barrels of whiskey.

This letter then closed by saying:

I will make myself known to you by handing you a slip of paper with H. S. on it, asking for my pay as soon as you find liquor.

H. S.

"I suspected the above was not all right, and took the precaution to secure several men to go with me. We readily found the place, but the whiskey had been removed, and our informant was conspicuously absent. In fifteen or twenty days I received another communication, which was as follows:

October 1, 1892.

MR. J. L. SPURRIER: *Dear Sir*—I again write you another way bill to some ten barrels of brandy, and will set time and place for you to meet me at——. That will insure you to find said brandy. I was absent from my neighborhood when you came out as per my first way bill. The brandy only stayed there a few days. Here is my way bill. Come some way from Fayetteville up Stewart's Creek, on by Reni-

gan's. When you get on top of Howell's Hill, take first right hand road, leading to Noah Cooper's. Take first right hand after passing Cooper's. Keep said right hand road three-fourths of a mile ; then pass first right hand road, keeping main plain road for about fifty yards. From this right hand road turn off, after passing a chestnut root on the right. Look just ahead, and notice tree blazed and small sapling cut down. Go out by these about thirty or forty yards, and you will strike a plain wagon road. Follow this for near a half a mile, when the roads fork, and I will meet you there and show you where the brandy is. Or, if removed, I will know it, and pilot you to it. It is divided in two lots, and I will insure you to find both lots if you meet me at said place. To save me from losing too much time, I will set two days for you to meet me. Come out Friday, October 7th, or Saturday, October 8th. Come Friday, if possible. If not, come Saturday. I will be there from 9 to 12 o'clock.

"This singular and unusual communication, from one I knew nothing about, was to me a surprise, after the disappointment of his previous engagement. I therefore at once determined to go by some circuitous route before day to the place designated, with force enough to spring the triggers upon my would-be captor ; surprise him, and capture him and his crowd in his own trap. I could think of this individual only as one who deserved punishment upon general principles, since there could be only one of two motives prompting him. One was to become a traitor to his neighbors, and the other to set a trap for my destruction. Hence, I determined to be on my guard, and act accordingly."

Instead of carrying out his original design, Spurrier yielded to the importunities of his comrades, and waited until daylight to follow up the direction of the last decoy letter. He remarked at breakfast

that morning that it might be the last time that they would sit down together at the morning meal, or any other. With singular emphasis he declared: "We shall have to fight to-day."

This premonition was found to be sorrowfully true, as the next chapter will show.

CHAPTER XL.

A COWARDLY AMBUSH AND BLOODY CONFLICT.

On the morning of October 7th, 1892, Messrs. Spurrier, Cardwell and Mather, together with Deputy Marshals E. S. Robertson, J. E. Pulver and Dave Harris, left the little village of Flintville, in order to investigate the matter contained in the second letter to Captain Spurrier.

Creed S. Cardwell, of Nashville, was General Deputy Collector for Tennessee and Kentucky; S. D. Mather, of Belvidere, was Division Deputy Collector; and Captain J. L. Spurrier, of Nashville, was General Deputy Collector.

Notwithstanding the suspicion of bad faith in the writer of the letter, the officers felt that it was their duty to investigate the affair, and the six men proceeded in the direction pointed out in the "way-bill," in search of the contraband brandy. Their route led through one of the loneliest sections of a very lonely country. Mountain ridges and deep hollows, uninhabited portions of a picturesque country, met them at every turn. Deep silence prevailed, everywhere unbroken, except by the echoes of the footsteps of the horses, or by the cheerful laugh of the party over some amusing incident told by one of the men.

Suddenly there was a report of firearms. Four shots in rapid succession rang out from an ambush,

behind a large tree on the right side of the road. Four men lay under cover of the tree, and as the officers rode in line, the murderers opened fire upon them.

Captain Mather reeled in his saddle, and fell to the ground. Next to him came the hero of this volume, Captain Spurrier, as brave a man as ever held a sword or marched at the command of duty into a deadly breach. Mr. Cardwell fell a few moments afterwards. A blinding smoke hung over the place of the ambushade, and for a moment the deadly work of the assassins could scarcely be recognized.

The mule on which Mr. Pulver was riding became unmanageable, and the rider was thrown violently to the ground. The mule on which Mr. Robertson rode was shot, and the rider jumped to the ground. At that instant the four men behind the log were seen in the act of firing again. Mr. Robertson fired upon them, and one of them fell back mortally wounded. Advancing in the face of such fearful odds, Mr. Robertson fired again, when the cowardly assassins took to their heels and escaped.

As soon as it was possible to do so, the attention of the unwounded men was directed to their companions, who were lying in the road—one of them already dead, the second dying, while the third was destined to live only a few weeks. Mr. Mather was found already dead, while Mr. Cardwell's wound in his right side gave him intense pain. Captain Spurrier was lying motionless on his back.

All that could be done for the wounded men was promptly done, and the body of Mr. Mather was left at Belvidere; and Mr. Cardwell and Captain Spurrier

were taken to Flintville, where the aid of competent physicians was summoned. It was all in vain, so far as Mr. Cardwell was concerned. He died at 2:45 p. m., and his remains were forwarded to Nashville.

By easy steps, and with all possible care, Captain Spurrier, the only survivor of the unfortunate officers that were wounded, was brought to his home in Nashville, where he lingered for nearly three weeks before he, too, passed away from earth.

It is difficult for an impartial pen to write of this foul tragedy in becoming terms. Here three brave men—officers of the government—were murdered in the discharge of their sworn duty, seeking to harm no one, but anxious to shield even the guilty moonshiner from the consequences of his deeds, by convincing him of the error of his ways; three noble men, with dependent families, suddenly murdered by a vile set of miserable outlaws—abominable wretches—who were too cowardly to measure arms, man for man, with the officers they hated so bitterly. It is impossible for human language to do justice to the perpetrators of these horrible murders.

CHAPTER XLI.

SPURRIER'S TENDER HEART.

Joseph L. Spurrier was a warm-hearted man, and always found a place in that heart for sympathy with the unfortunate; but, withal, he was a brave, daring fellow, that could not tolerate a cowardly act of oppression in any man.

On one occasion (it was mentioned by some of his men) he had been seen to weep over a trivial affair; and to weep was looked upon by some of the men who traveled with him as a weakness, no matter from what cause. Consequently Spurrier had suffered, as he would neither offer an excuse or apologize for it in any way, whatever; and, besides, a brave man has no apology to offer for tears shed at the right time.

On a specially dismal morning, during a specially dismal ride through the mountains of East Tennessee, the incident happened which we are about to relate.

Joe Spurrier was riding in front of the party, when he suddenly, with a wrinkled brow, turned his black eyes and faced the party, with tears trickling down his weather-beaten cheeks. He related to us a sad story of the past, which caused some others to weep. The day promised to be one of unusual gloom and monotony. Heavy autumn clouds were rolling sullenly along the mountain gorges, and we dared not

hope for even a cheery ray of sunshine. Drip, drip, fell the rain-drops from the trees, while ever and anon the rustling winds would cause a rattle among the silvered branches, that were fast covering over with sleet. The birds would chirp and hop about as if conscious of the fact that bad weather was approaching. Around were Spurrier's comrades, with downcast faces, for none dared to question his bravery. His wet and dripping overcoat, his care-worn face, with tears in his eyes, was enough to sadden the hearts of all. Then again, the musty smell of the overcoats gave one the disagreeable sensation called the "blues." I cannot tell why, but certain it is that on that dismal morning a most melancholy spirit hovered over the entire party. Now, we all knew that Joe Spurrier was not a coward, and that those tears were not from any fear upon his part; for when danger showed up Joe was always in the front. As we rode along that lonely road, the dangers of the past had started our curiosity, and we were rather anxious to know what had moved our brave leader, when he, in a monotonous, solemn tone, with much clearing of the throat and many pauses, bore us through one of his thrilling adventures, which fixed itself indelibly upon our minds. I had determined not to listen or be affected by the story at first; for, notwithstanding tears were allowed with Joe Spurrier, I well knew that it would not do for my comrades to see me weeping at Joe's story.

Said Spurrier: "On one occasion my whole attention was fixed upon the surroundings, while we slowly wended our way down the slippery path which led

from one elevation of the mountain to another. My attention was suddenly directed to something in the gorge below. It was suddenly shouted from one of the men, 'A distillery! a distillery!' I looked in the direction, and, sure enough, there was a veritable wildcat distillery, from which was issuing smoke, clearly indicating that it was in full operation.

"I immediately planned and arranged to get at the concern. We hitched our horses, and proceeded but a short distance, when we ran on a small boy, who cried out, 'Revenue officers!' These words dawned upon the party as an ominous evil, when it was remembered how Revenue officers had before been drawn into and entrapped in just such looking places. I was overlooking the situation, when the boy cried out 'Revenue officers!' Before me lay a suspicious looking brush harbor with perhaps enough men, thought I, to murder our whole party. The boy seemed to be unconscious of any danger, while he entered freely into conversation, revealing the situation. Without telling us who was the owner of the premises, he trotted along, freely chatting with me until within a short distance of the place, when he pointed his finger in the direction of a clump of men, saying, that I did not know those men over there. Just then one of those mountain eagles shot from above like an arrow into a clump of chickens, when the boy again uttered a cry, such as he might have learned from the eagle itself, to scare the bird away. This attracted the body of men outside. I then said to the boys that we must charge them; otherwise we were in for it. Just at this juncture some of our party seemed to waver, but our only chance, thought

I, was to scatter and demoralize the opposing forces before they had time to ascertain our own numbers.

“On now boys, they have discovered us!” said I; and as we rushed forward the boy became alarmed, and darted into the little cabin near by. The other party broke and scampered off in all directions, taking shelter in the bushes, not knowing whether there were four men or a whole regiment after them. We then rushed up to the door, and found only one lone man on the inside, badly crippled, who was busily engaged with his mash tubs; while one other personage sat near him, apparently too feeble to do anything. It was his half-grown, afflicted child, who was there only to keep him company. He explained that the men we saw were his neighbors, who had kindly gathered to get him up some wood. He then came forward with tears in his eyes, saying, ‘Mr. Spurrier, if you will only go with me to that little cabin, and see my poor afflicted wife and the children who cry for bread from day to day, you will not blame me for what I am doing, since it is my only chance to make a living.’

“We had laughed heartily when we first came up, to see the scampering of those whom we had taken for moonshiners; but when we went to the house with this poor man, and were confronted with the invalid wife, after hearing his honest, straightforward statement, I say to you, boys, my heart failed me; and I now cannot think of it without shedding tears.”

When Spurrier’s touching story was finished there were more moist eyes than one.

CHAPTER XLII.

THE LAST OF EARTH.

We have mentioned the fact, more than once, that Captain Spurrier never shed the blood of his fellow-man, during an experience of nearly twenty years of official life, in connection, for the better part of his time, with the most perilous and most dangerous service known to the government of the United States. He had been governed by a strict sense of duty; and, while he feared not the face of any man, he felt that the shedding of blood was the last resort to be adopted, only after every other means had failed. He constantly endeavored to make the misguided moonshiner conscious of his error; and, by instructing his mind and awakening his conscience, he succeeded in more than one instance in securing the real and permanent reformation of men who have since become valuable members of society.

Conscious as he was of desiring to do the moonshiner no harm, and feeling that he was really the best friend of the outlaw, it was very natural that he should place himself in positions that might subject him to personal danger at the hands of men who did not know him, or brutes in human form, who cared for nothing but the gratification of vile appetites, and the filthy lucre to be gained by violating the laws of the country. It was from this latter class of murderous fiends that the unfortunate man met

his death. They knew Spurrier very well. They knew the principles upon which he had uniformly acted, and it was simply because they intended to pursue their course of crime and outlawry in spite of every influence, divine and human, that they determined to play the coward, and assassinate the man who had made himself conspicuous, not only as an administrator of the law, but as a friend to the outlaw, and the agent by which the guilty criminal might become an honest citizen.

When prostrate upon his bed of pain, Captain Spurrier's mind was clear and calm.

"I do not fear to die," said he to his pastor, Dr. M. B. DeWitt, "for I have made my peace with God. I have always engaged in these raids upon the distilleries with a full knowledge of the dangers. I knew that desperate men, when at bay, would kill anyone that stood between them and liberty. Yet, I believe if I could talk with them and show them their errors, that there were many among them who would reform and become good citizens. I know that some have done so, and I feel thankful that I have been the means of restoring even one brave man to a law-abiding and respectable life.

"I have never gone into a post of danger without being conscious of the risk I was taking, but it often happened that I had to do with brave men, and not with cowards. A brave man may be trusted, even if he is an enemy and an outlaw. A coward can never be trusted, even when it is his own interest to be true to his word.

"But my work is done. I have tried to do it well. Except for the pain of parting with my wife and

loved ones, I have no regrets on my dying bed. God will judge those who have brought me to this untimely end. May God forgive them, as I do, in this last hour of my life."

So, gently, peacefully, he passed away from earth, on the 27th day of October, 1892.

He was a man who had no enemies but those who were enemies of his country and her laws.

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